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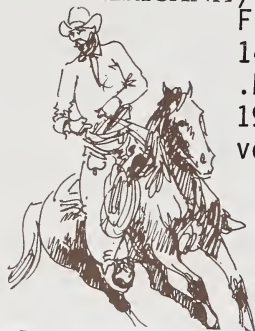
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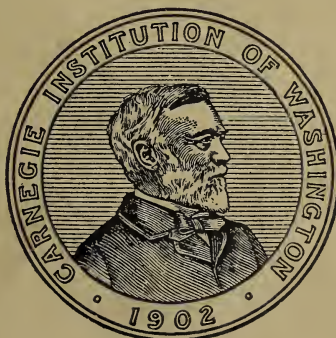
Historical Documents relating to
New Mexico, Nueva Vizcaya, and Approaches
Thereto, to 1773

COLLECTED BY
ADOLPH F. A. BANDELIER AND FANNY R. BANDELIER

ENGLISH TRANSLATIONS

EDITED WITH INTRODUCTION AND ANNOTATIONS
BY
CHARLES WILSON HACKETT, Ph. D.
Professor of Latin American History in the University of Texas

VOLUME III



WASHINGTON, D. C.
PUBLISHED BY CARNEGIE INSTITUTION OF WASHINGTON
1937

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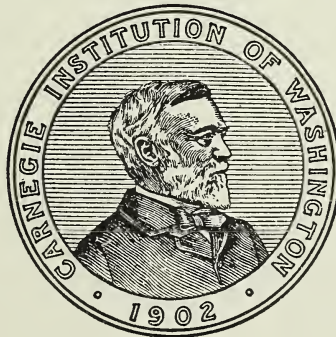
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CARNEGIE INSTITUTION OF WASHINGTON
PUBLICATION NO. 330, VOL. III

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The Lord Baltimore Press
BALTIMORE, MD., U. S. A.

PREFACE

With this volume is concluded the publication of this series of historical documents, which properly, and also out of respect to their compilers, may be termed the Bandelier Papers, and of which Volumes I and II, with Spanish texts and English translations, introductions and annotations, appeared in 1923 and 1926, respectively. The documents as herein translated then constitute the fourth and final chapter, or division, of the collection of historical transcripts which were made by Dr. Adolph F. A. Bandelier and Mrs. Fanny R. Bandelier, under a grant from Carnegie Institution of Washington, between the years 1912 and 1915.

In this volume a departure has been made from the procedure that was followed in the first two volumes. Instead of publishing in two final volumes, as originally planned, the Spanish texts and the English translations of the remaining documents in the Bandelier Papers, it was decided to conclude this series by publishing in one volume only the English translations of these documents, constituting, as they do, approximately the last half of the papers.

With reference to the translated documents hereinafter published, a brief explanation is necessary. As was the case with the documents published and translated in Volume II, many of the *expedientes* and individual documents translated in this volume were copied only in part by the Bandeliers. In some of these cases the editor has found it possible and has deemed it well to make complete translations of the *expedientes* and documents that were copied only in part by the Bandeliers by making use of complete transcripts of the same documents that were to be found in other transcript collections that were available to him. Such instances have always been indicated in footnotes. For lack of space such a procedure, however, would have been impossible with reference to the section hereinafter entitled: "Extracts from papers of the Inquisition relative to the affairs of the province of New Mexico, 1629-1671" (*infra*, pp. 128-279), even in case there had been available to the editor complete transcripts of the documents in this section, practically none of which were copied in their entirety by the Bandeliers. Indeed, the material making up this last-mentioned section consists, in the main, of a long series of relatively short extracts, or quotations, from many *expedientes* and documents from the Inquisition records in the Mexican national archives and to these some degree of unity was given by statements, or explanatory summaries, of Dr. Bandelier, which, written in Spanish, had to be translated also. In publishing the materials in this section, therefore, the statements of Dr. Bandelier that were translated from Spanish into English were enclosed in brackets (as indicated in note 48, p. 129).

In still other instances, and particularly so in the final section hereinafter entitled: "Documents relating primarily to the missions and Indians of New Mexico in the eighteenth century" (*infra*, pp. 366-509), a number of complete documents from the collections at the University of California were added to the documents copied by the Bandeliers. Grateful acknowledgments are herewith made to the authorities of the University of California, to those at the Ayer Collection of the Newberry Library in Chicago and, indeed, to the owners of other collections, for any and all documents that were thus added to the Bandelier Papers. Such additions have been indicated by appropriate footnotes.

Except for such changes as were made necessary by eliminating from this volume the Spanish texts of the documents, the procedure with reference to archive designation and the giving of the initials of the transcriber of the documents is herein the same as that in the preceding two volumes. The same is true with reference to other editorial procedure, as, for example, the giving of the initials of the author in the footnotes, and in the matter of italization of words of Spanish origin.

As was the case in Volumes I and II the tentative translations of the documents hereinafter published were made by Dr. Herbert I. Priestley and Mrs. Nellie V. Sanchez. In the completion of the final translations of the documents, however, and also in the entire editorial work connected with this volume, the editor has been fortunate in having the expert and valued assistance of Dr. Charmion Clair Shelby, to whom he makes grateful acknowledgments. For the financial aid which made possible this assistance from Dr. Shelby the editor expresses his sincere appreciation to the Trustees of Carnegie Institution of Washington.

With the publication of this volume the editor concludes a task that was entrusted to him twenty years ago. The time has been long since the task was undertaken but the delay has not been without some compensation. For example, the editor has witnessed in twenty years a notable and ever expanding productivity in the field of New Mexico history, some of which has made easier the work that was put into the present volume. In this connection mention may be made of only a few of the outstanding contributions that have appeared in the period under consideration. For example: the scholarly researches in the Oñate period by Prof. G. P. Hammond and those in the period of the eighteenth century by Prof. A. B. Thomas. In addition, the *New Mexico Historical Review*, founded only in 1926, has, in just a decade, become a veritable store-house of articles and monographic studies—notably those of Mr. France V. Scholes and Prof. Lansing B. Bloom—that relate specifically to the history of New Mexico in the colonial period. These have been of invaluable aid in the preparation of this volume. (In this connection see *infra*, Introduction, note 2.)

Indeed, when the perspective is reached for correctly appraising the historiography of New Mexico it seems even now that the conclusion will be that there was a great revival of scholarly productivity in the field of New Mexico history about the end of the first quarter of this century. This being true, then Volumes I and II may be regarded as pioneer contributions to such a renaissance. In this connection, the editor finds much satisfaction in having observed that Volumes I and II since their publication have been frequently cited and fully appreciated by later researchers. The editor is fully confident that the present volume will take its place with the preceding ones as a collection of fundamentally important sources for the history of the Spanish frontier in New Mexico and adjacent provinces.

Finally, for having been called upon to undertake this work twenty years ago the editor is indebted to the late Dr. J. Franklin Jameson, former Director of the Division of Historical Research of Carnegie Institution of Washington. For his patience, his kindly and unstinted advice, and his never failing encouragement in the editing and publication of Volumes I and II the editor desires here to reiterate his humble but grateful appreciation. To Dr. A. V. Kidder, under whose supervision the present volume is published, the editor makes grateful acknowledgment for his ever inspiring courtesy and his patience in having acquiesced in the postponement of work on the Bandelier Papers in order that other pressing duties might be pursued by the editor. To Carnegie Institution of Washington for its generous support given since 1912 to the entire project connected with the collection, as well as the translation and publication, of so important a lot of documents as those constituting the Bandelier Papers, not the editor alone, but indeed all scholars of Southwestern History are under deep and lasting obligations.

CHARLES WILSON HACKETT.

AUSTIN, TEXAS.

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IV. MISCELLANEOUS DOCUMENTS RELATING PRIMARILY
TO NEW MEXICO IN THE SEVENTEENTH AND
EIGHTEENTH CENTURIES

IV. 1. INTRODUCTION

GENERAL STATEMENT

With the appointment of Don Pedro de Peralta as governor of New Mexico in 1609 and his subsequent founding of the new villa of Santa Fé, that province was saved from the prospect of abandonment that had faced it with the resignation of Governor Juan de Oñate in 1607.¹ However, aside from the well-known Pueblo Indian rebellion of 1680 and the consequent abandonment of the province for more than a decade, New Mexico was destined for a reason other than that of Indian hostility to experience a most checkered existence during the seventeenth and eighteenth centuries—as researches during the past decade reveal fully for the first time.²

¹ See I: 215, of this series.

² Attention is directed to the following list of illuminating monographs, all of which have appeared since the publication in 1926 of vol. II of this series and all of which relate to New Mexico in the seventeenth and eighteenth centuries. These monographs, together with other well-known studies and general histories, constitute a background for the documents hereinafter translated:

Isidro Armijo (translator), "Information Communicated by Juan Candelaria, Resident of this Villa de San Francisco Xavier de Alburquerque, Born 1692—Age 84," in *New Mexico Hist. Rev.*, IV: 274-297 (July 1929).

Lansing B. Bloom, "A Campaign against the Moqui Pueblos under the Leadership of Governor and Captain-General Don Phelix Martínez, Beginning August 16, 1716, and Certain Correspondence in Relation thereto Attached to the Original Archive from which this Paper has been Prepared," in *ibid.*, VI: 158-226 (April 1931).

"A Glimpse of New Mexico in 1620," in *ibid.*, III: 357-380 (October 1928).

"Alburquerque and Galisteo: Certificate of their Founding, 1706," in *ibid.*, X: 48-50 (January 1935).

"A Trade-Invoice of 1638 for Goods Shipped by Governor Rosas from Santa Fé," in *ibid.*, X: 242-248 (July 1935).

"Fray Estevan de Perea's *Relacion*," in *ibid.*, VIII: 211-235 (July 1933.)

"The Governors of New Mexico," in *ibid.*, X: 152-157 (April 1935).

"The Royal Order of 1620 to Custodian Fray Esteban de Perea," in *ibid.*, V: 288-298 (July 1930).

"When Was Santa Fé Founded?," in *ibid.*, IV: 188-194 (April 1929).

Ireneo L. Chaves (translator), "Instructions to Peralta by Vice-Roy," in *ibid.*, IV: 179-187 (April 1929).

J. Manuel Espinosa, "Governor Vargas in Colorado," in *ibid.*, XI: 179-187 (April 1936).

"Notes on the Lineage of Don Diego de Vargas, Reconqueror of New Mexico," in *ibid.*, X: 112-120 (April 1935).

F. W. Hodge, "A Virginian in New Mexico in 1773-74," in *ibid.*, IV: 239-272 (July 1929).

"The Six Cities of Cibola—1581-1680," in *ibid.*, I: 478-488 (October 1926).

The chief obstacle to the peaceful development of New Mexico for half a century after the appointment of Governor Peralta was an "almost irreconcilable controversy between the civil and ecclesiastical authorities"—unprecedented for its intensity and persistency in any other frontier province of New Spain. This controversy developed over "the issue of ecclesiastical privilege and immunity; the exercise of ecclesiastical jurisdiction and the validity of ecclesiastical censures; the relative power of Church and State; questions of orthodoxy; the problem of Indian labor; control and direction of the missions and of the religious and social life of the natives; the exploitation of the natives; the enslavement of unconverted tribes."³

In generalizing upon this subject Scholes says:

The first violent breach of relations between Church and State occurred during the administration of Governor Pedro de Peralta (1610-1614) [thereby creating] an evil tradition of rivalry and controversy between Church and State . . . which troubled the history of New Mexico during the entire period of Spanish domination. In the seventeenth century this rivalry was the warp on which was woven the political history of the province. During the years 1639-1641 it nearly resulted in civil war. From 1659 to 1664 it caused such factional bitterness that the colony never fully recovered, and the events of these years were a factor in the general decline of the province prior to the Pueblo Revolt of 1680. During the eighteenth century there were frequent controversies between the civil and ecclesiastical jurisdictions, but the results were not so disastrous as those of the preceding century.⁴

This is neither the opportune time nor place to present a synthetic summary of the history of New Mexico after 1609 that might be based upon

France V. Scholes, "Church and State in New Mexico, 1610-1650," in *ibid.*, XI: 1-76, 145-178, 283-294, 297-347 (January-October 1936). [To be concluded.]

"Civil Government and Society in New Mexico in the Seventeenth Century," in *ibid.*, X: 71-111 (April 1935).

"Documents for the History of the New Mexican Missions in the Seventeenth Century," in *ibid.*, IV: 45-58, 195-201 (January-April 1929).

"Manuscripts for the History of New Mexico in the National Library in Mexico City," in *ibid.*, III: 301-323 (July 1928).

"Problems in the Early Ecclesiastical History of New Mexico," in *ibid.*, VII: 32-74 (January 1932).

"The First Decade of the Inquisition in New Mexico," in *ibid.*, X: 195-229 (July 1935).

"The Supply Service of the New Mexican Missions in the Seventeenth Century," in *ibid.*, V: 93-115, 186-210, 386-404 (January-October 1930).

Lota M. Spell, "Music Teaching in New Mexico in the Seventeenth Century: The Beginnings of Music Education in the United States," in *ibid.*, II: 27-36 (January 1927).

Alfred B. Thomas, "Governor Mendinueta's Proposals for the Defense of New Mexico, 1772-1778," in *ibid.*, VI: 21-39 (January 1931).

A. Von Wuthenan, "The Spanish Military Chapels in Santa Fé and the Reredos of Our Lady of Light," in *ibid.*, X: 175-194 (July 1935).

³ Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, p. 150.

⁴ Scholes, "The First Decade of the Inquisition in New Mexico," *loc. cit.*, pp. 195-196.

the accounts of the older historians, the contributions of recent researchers, and the documents hereinafter translated. It is purposed, on the other hand, to give merely the background for the miscellaneous documents hereinafter translated and, at the same time, by brief references to some of the outstanding facts presented in them, to indicate something of the nature of the contribution which they make to the history of New Mexico.

CHURCH-STATE RELATIONS IN NEW MEXICO, 1609-1659

1. *Questions in dispute regarding ecclesiastical jurisdiction and ecclesiastical privilege and immunity.* References to the afore-mentioned controversy between the civil and ecclesiastical authorities are to be noted frequently in the documents hereinafter translated that relate to New Mexico prior to the beginning of the administration of Governor Don Bernardo López de Mendizábal in 1659. Most of these documents were written during the administration of Governor Luis de Rosas (1637-1641), at a time when "the spirit of faction and bitterness between the two jurisdictions that had been developing ever since the days of Peralta came to a climax in a series of tragic events which left the province a house divided," and culminated in the murder of Rosas the year following his removal from the governorship.⁵

The burden of complaint in an opinion rendered by the *cabildo* of Santa Fé on February 14, 1639, was the "common custom of the religious to deprive this commonwealth [New Mexico] during Lent of confession and the holy sacraments, especially the governors, alcaldes, and other ministers and officials of justice as well as of war."⁶ In this connection reference was made to the "grave and atrocious crime" on the part of the religious of seizing and holding as prisoner for several months Governor Don Pedro de Peralta (1610-1614) who, on one occasion in the dead of winter, escaped from his prison "on foot and half naked, covered with a buffalo robe like an Indian," but who, on being recaptured, was subjected to the indignity of being taken back to his prison "seated on a horse like a woman."⁷ Also the *cabildo* cited an instance during the administration of Governor Eulate (1618-1625) of the complete withdrawal of the religious from the church and convent of Santa Fé, "without any religious to administer them."⁸ Relief from such "outrages and violent acts" at

⁵ For details of the administration of Governor Rosas and his subsequent murder, narrated in detail for the first time, see Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 297-340.

⁶ Opinion of the *cabildo* of Santa Fé, Feb. 14, 1639, *infra*, p. 62.

⁷ *Ibid.*, p. 64. For details of the intense conflict that was waged between Governor Peralta and the religious under the leadership of the prelate in charge of the New Mexico missions, Fray Isidro Ordóñez, see Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 27-47.

⁸ Opinion of the *cabildo* of Santa Fé, Feb. 14, 1639, *infra*, p. 63. For details of the conflict between Governor Eulate and the religious under the leadership of Fray Esteban de Perea, see Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 145-173.

"the hand of the Church with its weapons of excommunications and interdicts and the refusal to the community of the sacraments and confessions" was sought from the viceroy by the Santa Fé *cabildo*.⁹

At the same time that the above-mentioned relief was being sought by the *cabildo* a conflict developed between Church and State officials of the province over the question of ecclesiastical privileges and immunity. Late in January 1639, Captain Roque de Cassaus, *alcalde ordinario* of New Mexico, held as prisoner one Juan Márquez, who was charged with "certain grave crimes." The custodian, Father Juan de Góngora, who claimed also that he was a subdelegate commissary of the Santa Cruzada,¹⁰ attempted "to defend and protect" Márquez on the ground that he was treasurer-general of the Cruzada in New Mexico. This defense Góngora was undertaking—as he was said to have done in 1637—"by means of excommunications and interdicts." Cassaus, who charged both Góngora and Márquez with using their offices and privileges to seize property illegally, questioned the jurisdiction of Father Góngora in the matter on two counts: first, that Father Góngora had proclaimed himself commissary of the Cruzada "with absolute power to introduce and publish the bull of the Santa Cruzada, without its being presented to the *cabildo* or being received or accepted by it," and, second, that Góngora "merely" had said that Márquez was treasurer-general, "without having presented titles or papers" as proof of such an appointment.¹¹

Thus in connection with the specific controversy that arose over the right of the civil authorities to hold Márquez as prisoner, there emerged the broader and more general issue of ecclesiastical jurisdiction. Upon being requested by the *cabildo* to give proof to it of his appointment as commissary subdelegate, Góngora first claimed, on January 29, that the original orders issued to him in Mexico City had been based upon false information and that subsequent orders from his superior had authorized the treasurer of the Cruzada to "collect on his own authority what was owing from the bulls, but that money that was owing to him personally could only be collected by his [the commissary-general's] order. Seeing no remedy for this," Father Góngora claimed that he "had sent all the papers to Mexico . . . so that further orders might be sent from there."¹² At

⁹ Opinion of the *cabildo* of Santa Fé, Jan. 14, 1639, *infra*, pp. 62-65.

¹⁰ For a statement regarding the Cruzada see p. 5, note 8, *supra*.

¹¹ Petition of Cassaus to the *cabildo* of Santa Fé, Jan. 28, 1639, *infra*, pp. 49-50. As late as 1747 the city of Guadalajara reported that it was customary on the occasion when a bull of the Santa Cruzada was published "for the civic officials to attend in a body on the eve of the day of its publication, notwithstanding its being declared to the contrary, and that it is also customary for the civic officials to accompany the notary to take it from his house, in the same manner." Interesting details concerning the full procedure to be followed on such and similar occasions are contained in the same documents that outline this procedure. See Representation of the City of Guadalajara, with two certified documents, Guadalajara, May 26, 1746, *infra*, pp. 422-424.

¹² Attestation of Diego del Río de Losa, Jan. 29, 1639, *infra*, p. 51; "Notification," *infra*, p. 52. The claim that the above-mentioned order was based on false information was

the same time Father Góngora denied that he was obligated to exhibit his papers as commissary before the *cabildo*, "except before the first sermon only, to the governor who is actually governing," as he claimed to have done before Don Francisco de la Mora Ceballos,¹³ who had been governor from 1632 to 1635.¹⁴ Góngora further claimed that his "title, as well as that of the treasurer, clerk, and *alguacil mayor*, were duly received and signed" by Governor Mora ". . . in accordance with the instructions of the supreme tribunal of the Santa Cruzada."¹⁵ The *cabildo* thereupon endeavored to ascertain whether Father Góngora was "the first commissary of the Santa Cruzada that there has been in these provinces and the first who brought to them the bulls of the Santa Cruzada, and whether the said *cabildo* accepted the said bulls or refused them."¹⁶ And again Father Góngora denied that he was "under obligation to present himself to the honorable *cabildo* and declined to have anything further to say on this point."¹⁷

Nevertheless, the *cabildo* continued its investigation. In the course of it various witnesses deposed that Father Góngora, the first commissary, had preached "the first sermon of the holy bull" of the Crusade without first having presented it "in the *cabildo* so that the said bulls might be accepted," and that this action had evoked at the time a formal protest from the *cabildo*.¹⁸ Furthermore an official search of the archives of the *cabildo* failed to reveal "any *auto*, petition, or any other paper whatever" that showed that "the introduction of the bulls of the Santa Cruzada into these provinces took place formally or that the *cabildo* . . . had admitted them. . . ." ¹⁹

In the light of the evidence thus brought out by its investigation, the *cabildo* on February 10, formally reiterated its contention that the bulls of the Cruzada should have been presented to it "as the legitimate authority to accept or reject them." It also denied that the right of passing upon them rested with the governor, "who deals solely with his government, and not with special affairs of the community, such as this." Accordingly, Father Góngora was notified "not to use the commission that he may hold until this *cabildo* gives account to the most excellent señor viceroy and the tribunal of the Santa Cruzada of Mexico, so that they may order what

denied by the *cabildo*, which made the counter charge that either Father Góngora, or Governor Mora, for personal gain, had reported falsely or else that Father Góngora was then "acting deceitfully." *Auto* of the *cabildo* of Santa Fé, Feb. 1, 1639, *infra*, p. 59.

¹³ "Notification," *infra*, p. 52.

¹⁴ Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 284-285.

¹⁵ *Ibid.*

¹⁶ *Auto* of the *cabildo* of Santa Fé, Jan. 31, 1639, *infra*, p. 53.

¹⁷ *Auto* of the clerk of the *cabildo* of Santa Fé, Feb. 1, 1639, *infra*, p. 53.

¹⁸ Declaration of Cassaus, deposition of Godoy, and deposition of González, Santa Fé, Feb. 1-5, 1639, *infra*, pp. 53-56.

¹⁹ Attestation of Diego del Río de Losa, Feb. 10, 1639, *infra*, p. 56.

ought to be done.”²⁰ This decision was officially communicated to Father Góngora on February 20, 1639.²¹

Meanwhile, on February 14, Father Fray Juan de Vidania, *guardián* of Santa Fé, admitted to Governor Rosas that Father Góngora had ordered him not to hear confessions, and that he was bound to obey this order.²² Governor Rosas himself was denied confession by Father Sambrano and, as a result, the entire matter of the denial of sacraments was laid before the *cabildo* for its consideration.²³ The *cabildo* then called upon Father Vidania “to exhibit a copy of the order he had from his prelates to refuse confession to this community.” By way of reply Vidania denied that he had a written order to that effect, but one only “by word of mouth from his prelate.”²⁴

In view of this situation the *cabildo* on February 21, 1639, drew up a detailed report to the viceroy.²⁵ An official summary on the back of this report is abstracted as follows:

The *cabildo* of Santa Fé gives account of the troubled state in which its citizens are, especially in regard to the administration of royal justice by the powerful hand of those religious, with the diversity of tribunals that they have. They state that it would be better to reduce them to a smaller number and place them all under one head who should reside in that villa; that Father Fray Juan de Vidania . . . would be suitable as custodian; and that it is important . . . to retain the governor [Luis de Rosas] for his good service to his Majesty.

According to Scholes:

The immediate outcome of this affair is not known, at least as far as Márquez is concerned. But Captain Salazar and other members of the anti-Rosas group testified that the governor sought to have Custodian Salas order the withdrawal of Góngora from the province, a request which Salas refused on the ground that he had no jurisdiction over a representative of the Crusade. Rosas then banished Góngora on his own authority, and according to our informants, the friar died of grief.²⁶

2. *Questions of ecclesiastical administration.* While the above-outlined conflict of Church and State officials was being waged in New Mexico questions of ecclesiastical administration which involved the provinces of northern New Spain arose. On June 10, 1634, the king in a royal cedula prescribed the form that was “to be maintained, observed and kept in regard to the ministers of the *doctrinas* [or Indian villages newly consecrated to the Christian religion] of the said [religious] Orders.”²⁷

²⁰ Auto of the *cabildo* of Santa Fé, Feb. 10, 1639, *infra*, p. 57.

²¹ “Notification,” *infra*, p. 57.

²² Auto of Governor Rosas, Santa Fé, Feb. 14, 1639, *infra*, pp. 61-62.

²³ *Ibid.*

²⁴ Auto of Anaya Almazán, Santa Fé, Feb. 14, 1639, *infra*, p. 66.

²⁵ Report of the *cabildo* of Santa Fé to the viceroy, Feb. 21, 1639, *infra*, pp. 66-73.

²⁶ Scholes, “Church and State in New Mexico, 1610-1650,” *loc. cit.*, p. 306.

²⁷ Cedula of June 10, 1634, *infra*, p. 77. The Orders referred to above were those of the Franciscans, Dominicans, Augustinians, Our Lady of Mercy, and Jesuits. Cedula of Aug. 11, 1637, *infra*, p. 84.

In this connection an earlier cedula of June 22, 1624, was cited. This last-mentioned cedula, which was designed to bring about uniformity of procedure, gave the unqualified right of "appointment and removal" of curates in the *doctrinas* to the viceroy of New Spain; at the same time it limited the authority of the archbishop and bishops to "the right to visit the said religious in so far as regards the ministry of curates, but in nothing else, inspecting the churches, sacraments, chrisms, brotherhoods, and the collection of alms by them, and everything that touches upon the mere administration of the holy sacraments and the said ministry of curates."²⁸ The right of disciplining offending curates was accorded to their prelates but always with the understanding that "the power to appoint and remove them" was vested in the viceroy. Finally, the religious were warned, "in so far as concerned jurisdiction . . . not [to] try to acquire the perpetual right to the said *doctrinas*."²⁹

Because of the diverse "interpretation and execution" of the above-cited cedula, with consequent difficulties, the king resolved on June 10, 1634, not to take away the administration of the *doctrinas* from the Orders; at the same time he restated the right of the archbishop and bishops to visit and inspect the *doctrinas* and that of the prelates immediately superior to the curates to take disciplinary action against them. The appointment to *doctrinas* and curacies, however, was modified so as to provide that the provincial and ecclesiastical chapters were to nominate three religious for each vacancy, and from these three the viceroy or governor who might then be exercising the royal patronage was to exercise his judgment in choosing one of them.³⁰ This action was interpreted by the Orders to mean that it was the will of the king that to his viceroy should appertain "only the naming of the minister of *doctrina*, and to the Order the choice of *guardián*, prior, *comendador*, or rector of the convent."³¹

Because this arrangement had not been understood or carried out—different interpretations and meanings of what the cedula had prescribed having been advanced—the Orders made various proposals that were designed to clarify the procedure to be observed in these matters in New Spain.

Finally, after recommendations concerning these resolutions had been made by the Council of the Indies,³² the king on August 11, 1637, in the interest of clarity and specificness, approved the recommendations of the Council and instructed the viceroy of New Spain to "cause to be executed and fulfilled in every particular," both with reference to what had been decreed in the cedula of 1634 and what had been added, by way of clarity,

²⁸ Cedula of June 22, 1624, *infra*, p. 78.

²⁹ *Ibid.*, p. 78.

³⁰ Cedula of June 10, 1634, *infra*, pp. 78-79.

³¹ Memorial of the Orders, *infra*, pp. 81-83.

³² For these recommendations, see *infra*, pp. 82-84.

in the recommendations of the Council.³³ Miscellaneous related correspondence in New Spain followed, that was designed still further to clarify and make effective the king's commands with respect to these matters.³⁴

While these matters relating to the appointment to and administration of *doctrinas* and curacies were being acted upon, other questions of ecclesiastical administration arose, namely, whether the time was opportune to create bishoprics in New Mexico and Sinaloa and to "establish reductions and *doctrinas* among those Indians in which the royal patronage shall be exercised and tithes and some tribute paid."³⁵ Indirectly, at least, the Bishop of Nueva Vizcaya may have inspired these proposals. At all odds, following an inspection which he had made along the west coast of his jurisdiction, as far north as Sinaloa, the Bishop of Nueva Vizcaya on April 20, 1637, wrote a letter to the king in which he referred to the "more than one hundred thousand head of cattle" on the ranches of the Jesuit missions in Sinaloa and to the fertility of the country and its productivity in "wheat, maize, cotton and other crops."³⁶ A few months later, on July 22, 1637, the viceroy of New Spain, the Marquis of Cadereyta, in a communication to the king, recommended that a bishopric be created in New Mexico.³⁷

Probably in the light of these two communications—the one from the Bishop of Nueva Vizcaya regarding the prosperous condition of Sinaloa and the other from the viceroy recommending the creation of a bishopric in New Mexico—the king, in a cedula of December 23, 1637, instructed the viceroy of New Spain to inform himself "of the state of affairs in the provinces and districts of New Mexico and Sinaloa," in order to determine whether the time was opportune "to divide them into bishoprics and establish reductions and *doctrinas* among those Indians in which the royal patronage shall be exercised and tithes and some tribute paid."³⁸

Viceroy Cadereyta on August 5, 1638, formally complied with the king's cedula of December 23, 1637. At the same time he called upon the secular ecclesiastical officials of Nueva Vizcaya to send him "a certified copy of the *autos* which have been or may be made" in justification of the proposal; likewise, the officials of the Franciscan and Jesuit Orders were instructed to take counsel upon the royal orders and to report to him "in writing, within two months, of the advantages and disadvantages which the disposition and compliance with the said cedula may yield to the serv-

³³ Cedula of Aug. 11, 1637, *infra*, p. 84.

³⁴ For this correspondence, see *infra*, pp. 84-87.

³⁵ Cedula of Dec. 23, 1637, *infra*, pp. 94-95; Viceroy Cadereyta to the king, Feb. 28, 1639, *infra*, pp. 89-92.

³⁶ Cedula of Dec. 23, 1637, *infra*, pp. 94-95.

³⁷ Viceroy Cadereyta to the king, Feb. 28, 1639, *infra*, p. 89.

³⁸ *Ibid.*, p. 89.

ice of God and his Majesty in the said provinces, together with whatever else that may occur to them in the direction of the same purpose.”³⁹ In connection with the investigation of the problem that thus developed considerable correspondence accumulated.⁴⁰

The reply of the Jesuits was made by their provincial, Father Andrés Pérez, and other chaplains of the Order on September 12, 1638.⁴¹ They divided their lengthy report into eight articles. In Article I the geographical limits of Sinaloa were outlined. Article II was devoted to a refutation of the claim that the Jesuits had on their ranches “more than one hundred thousand cattle.” The alleged “fertility of these lands and the crops which it is said are produced on them in abundance,” were denied in Article III. In this connection wheat was said to be so scarce that the padres were obliged to subsist on *tortillas*, while flour for even the communion wafers had to be imported from the valley of Santa Bárbara, one hundred and thirty leagues distant. As regards cotton it was so scarce that women often covered themselves “only with grass and deerskins.”

The charge that the Jesuit fathers raised large crops with the labor of the Indians was grudgingly qualified in Article IV by the statement that “perchance they did inspire the Indians to clear some small corn fields.” But this was declared to be “of very little importance,” and the remainder of this article stressed the general poverty of the province.

Article V was concerned with missionary statistics. A total of 200,000 baptisms of adults and children were said to have been recorded since the Jesuits entered Sinaloa proper, not including another 100,000 who had been baptized in the four missions—also administered by the Jesuits—that were between Sinaloa proper and the city of Durango. The number of Indians living in all of the missions in 1638 was estimated at 100,000 (instead of a mere 60,000 reported by the Bishop of Nueva Vizcaya), and, of this total, 90,000 were being administered to at the missions of Sinaloa proper.

In Article VI the Jesuits argued that the Indians of New Spain were exempt from payment of tithes upon “those products that are native to this country,” and were subject to payment of tithes only upon Castilian products which they might raise. The Spaniards of Sinaloa, it was claimed, already paid tithes. Article VI concluded with a spirited opposition to the proposal to impose tributes upon the Indians and to the predicted disastrous results that would attend such an effort. Article VII constituted a summation of some of the advantages and disadvantages of the two methods of paying presidial soldiers in Sinaloa—all in money, or partly in clothing.

³⁹ Compliance of Cadereyta, Mexico, Aug. 5, 1638, *infra*, p. 95.

⁴⁰ Most of this correspondence is hereinafter translated, pp. 95-127. But see also: Petition of Father Rojas in 1638, *infra*, pp. 75-76; two letters of the Archbishop of Cartagena, written in 1640 and 1641, *infra*, p. 88; the Bishop of Puebla to the king, Nov. 25, 1640, *infra*, p. 92.

⁴¹ This petition is translated *infra*, pp. 95-105.

In Article VIII the Jesuits voiced their opposition to the proposed creation of a bishopric in Sinaloa, chiefly because there was "no city or place where a cathedral church may [might] be erected." They also pointed out that they had already created *doctrinas* at the missions.

Finally, the Jesuits closed their report with a description of the sacrifices which they were making in performing "a very respectable service in reducing to his royal crown these peoples, and in keeping peace and in preaching the gospel among them."

The report of the Jesuits was followed on September 26, 1638, by a similar report by Fray Juan de Prada, Franciscan commissary-general of New Spain.⁴² This report Father Prada divided into three articles, the first of which set forth a very clear and excellent "discussion of the location, extent, and nature of the land of New Mexico and the nations that inhabit it." The Indian population of New Mexico at that time was estimated at approximately 40,000 and the total number of baptisms to that date was fixed at more than 60,000.

In concluding in Article II that "there would [seem to] be neither opportunity nor convenience" in requiring the Indians of New Mexico to pay to the king "another tribute in addition to that which they are today paying," Father Prada felt impelled "to describe the temporal state" of those Indians. This consisted chiefly in an excellent and explicit description of the operation in New Mexico of the *encomienda* system. The amount of tribute which each household of Indians was obliged to pay was said to be "one *fanega* of maize, which in that country is valued at four *reales*, and also a piece of cotton cloth six palms square, which is reckoned in price at six *reales*"; the total number of households paying these annual tributes was reckoned at 8,000. In return for these tributes the obligations of the *encomenderos* were specified, including that of participating "with their arms and horses in the defense both of the natives as well as of the religious." The disadvantages of increasing the tributes of the Indians were pointed out.

With reference to the proposed establishment of a bishopric in New Mexico with the attendant obligation of the parishioners to pay tithes, Father Prada expressed vigorous opposition. Some of the bases for this opposition were that the settlers could pay such tithes only in the form of wheat; that already they paid to the support of the religious of the province a total of 300 *fanegas* of wheat, valued at eight *reales* per *fanega*; that the Indians were already exempt from paying tithes on products native to the land; that the Indians of New Mexico did not control the Castilian products on which they might be obligated to pay tithes; that the religious of New Mexico already had use for all the wheat that was then paid to them in the form of tithes; and that there was no town suitable "to support the

⁴² Petition of Father Prada, Mexico, Sept. 26, 1638, *infra*, pp. 106-115.

pomp of a bishop"—the lack of which in no wise caused "any detriment . . . to those Christians by depriving them of spiritual privileges."

Opposition to the proposal that the Indians of Sinaloa should be required to pay some tribute was voiced by Bishop Alonso of Durango and the *cabildo* of the church of Durango on October 12, 1638. This group at the same time favored the payment in money of the salaries of soldiers of the presidio of Sinaloa and stated that there was no information leading them to believe that secular *doctrinas* "can now be established in the two said provinces of Sinaloa and New Mexico." As an alternative to the proposed bishopric the recommendation was made that an abbot be located in New Mexico "for confirming and in order to issue minor orders." ⁴³

Concerning the questions under consideration the opinions of two former governors of New Mexico, Martínez de Baeza and Don Francisco de la Mora Ceballos; of two former military officials of Sinaloa, Don Pedro de Perea and Don Francisco de Bustamante; and of former governor Don Francisco Gómez de Cervantes of Nueva Vizcaya, were rendered. Aside from miscellaneous information acquired from personal experience on the northern frontier that is found in their statements, it is enough to say that Francisco de la Mora regarded as appropriate the erection of a bishopric in New Mexico, but only "with the understanding that it be done by putting both its secular and ecclesiastical government for some years in charge of one who may be bishop." ⁴⁴ Martínez de Baeza felt that the Indians of Sinaloa should be excused "from paying tributes and from other services." He also favored the payment in money of the subsidies for the religious and the salaries of the soldiers of that province. For economic reasons similar to those expressed by Father Prada in his second article, Martínez de Baeza was in favor of the Indians of New Mexico being released from "paying the tributes." ⁴⁵

Prefacing his opinions with an elaborate exposition of the "extreme poverty" of the nations of Sinaloa, of the hardships experienced alike by the Jesuits and Spanish settlers of that province; and of the difficulties attending the raising both of cattle and of wheat, Don Francisco de Bustamante reached the conclusion that "it is neither proper nor opportune to impose tributes" upon the Indians of Sinaloa. As to the payment of the soldiers he thought that it was immaterial whether they were paid "either in money or in clothing," because of the scarcity of trading there. ⁴⁶ Following a general review of the economic and ecclesiastical set-up in Sinaloa, Francisco Gómez de Cervantes pointed out the impracticability of compelling the Indians of that province and of New Mexico to pay tributes.

⁴³ Petition of the Bishop of Durango, Durango, Oct. 12, 1638, *infra*, pp. 115-116.

⁴⁴ Petition of Francisco de la Mora, Mexico, Feb. 4, 1639, *infra*, pp. 117-118.

⁴⁵ Petition of Francisco Martínez de Baeza, Mexico, Feb. 12, 1639, *infra*, pp. 118-120.

⁴⁶ Opinion of Francisco de Bustamante, Mexico, Feb. 18, 1639, *infra*, pp. 121-124.

It would be more convenient, he thought, if payment of salaries to the soldiers was made all in money.⁴⁷

Despite the requested opinions, summarized above, all of which were lukewarm toward, if not directly opposed to, the proposals made in the king's cedula of December 23, 1637, Viceroy Cadereyta, in a communication of February 28, 1639, submitted to the king his recommendation on these subjects. He reiterated an earlier recommendation for the erection of a bishopric in New Mexico and referred to his earlier proposal that either Francisco Miguel de la Cruz, "one of the most successful ministers of *doctrina*" in New Spain, or Fray Francisco Rodríguez, a lecturer emeritus in theology, be named bishop. With regard to Sinaloa, the viceroy hinted at possible vigorous opposition to the suggestion for the establishment of a bishopric in that province by the Jesuits, who, "regardless of the bull of patronage . . . deny that they are ministers approved and sent there by the king." After refuting denials by the Jesuits "of the profit they are making" in Sinaloa, the viceroy recommended, as "desirable and necessary," that the *doctrina* of that province should be extended and that therein a bishopric, "with all its appurtenances" should be established, with the Jesuit provincial, Father Gerónimo Díaz, as bishop.

As regards tithes, the viceroy expressed the opinion that it would be very easy to pay them—"in the case of Spaniards without any doubt, and in the case of the Indians also—from the products of Castile that they will raise." Payment of tributes, the viceroy believed, should be postponed until the two proposed metropolitan churches were "established, the collection of tithes under way, the bishops appointed, the country examined, and the climates of the provinces and the nature of their inhabitants studied, to determine whether the same acknowledgment of vassalage as is paid by the other provinces, which is four *reales* annually in service, may be arranged with the prelates themselves."⁴⁸

Information with reference to the immediate action taken by the royal authorities on the recommendations of Viceroy Cadereyta is not available; it is only known that the recommendation was not carried out. By 1666, the *custodia* of New Mexico had prospered so greatly that the king again was advised to create of it a bishopric, "for there were more than twenty-four thousand Indian men and women in all the missions established by those religious." However, "the matter had not been decided upon nor the proposal put in effect when, in the year 1680, the Indians of Moqui, with all those of the interior of New Mexico, revolted."⁴⁹

3. *The rôle of the Inquisition in the Church-State conflict in New Mexico, 1659-1664.* The most powerful and also the most dreaded of the colonial ecclesiastical tribunals in Spanish America was that of the Holy

⁴⁷ Opinion of Francisco Gómez de Cervantes, Mexico, Mar. 3, 1639, *infra*, pp. 124-126.

⁴⁸ Viceroy Cadereyta to the king, Mexico, Feb. 28, 1639, *infra*, p. 91.

⁴⁹ Declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744, *infra*, pp. 396-397.

Office of the Inquisition. Established in Spain by and under the control of the crown twelve years before the discovery of America for the purpose of ferreting out heresy, the institution was destined early to be transplanted to America. In 1569 tribunals of the Holy Office were ordered for Mexico City and Lima and in 1611 a third one was set up in Cartagena.

These tribunals [says Scholes] consisted of a board of inquisitors, attorneys, consultants on theology and canon law, receivers of confiscated property, jailers, and numerous lesser officials, and servants. . . . The jurisdiction of the Inquisition was wide and elastic. Heresy, apostacy, blasphemy, bigamy, the practice of superstition, sorcery and demonology, propositions subversive of the faith, denial of ecclesiastical authority, lack of respect for ecclesiastical persons, institutions, and censures, solicitation in the confessional, evil-sounding words,—these were some of the causes for prosecution by the tribunal. No member of the non-aboriginal community was exempt. Spaniards, creoles, negroes, mestizos, mulattos, clergy and laymen, officials and private citizens,—all were subject to its authority. The Indians alone were exempt. In addition to its spiritual jurisdiction in matters of the faith, the Holy Office exercised wide authority of a temporal character. It owned and administered property and exercised temporal jurisdiction over all persons, even lay familiars, who were connected with it in an official capacity. The civil courts were forbidden to interfere in the business of the Inquisition, and appeals from the American tribunals were taken to the Council of the Inquisition (the Suprema) in Spain.⁵⁰

The authority of the dread tribunal of the Holy Office of the Inquisition was vested in the frontier provinces under its jurisdiction in an official known as a commissary, or agent. In New Mexico in the seventeenth century this office was frequently held by the prelate, or custodian [*custodio*], of the Franciscan missions of the province. As early as 1622 the referred-to conflict between Church and State officials in New Mexico caused the custodian, Fray Esteban de Perea, to appeal to the tribunal of the Holy Office of the Inquisition in Mexico City. The outcome was that

Friar Alonso de Benavides, who had had long experience in affairs of the Holy Office, was appointed local commissary or agent of the Inquisition in New Mexico. About the same time Benavides was also elected custodian of the New Mexico missions, so that it is reasonable to assume that his double election was due to co-operation between the Franciscan Order and the Holy Office. After considerable delay Benavides finally set out for New Mexico in the spring of 1625, . . . and on January 24, 1626, Benavides was formally received in Santa Fé as prelate and commissary of the Holy Office.⁵¹

In generalizing upon the significance of the establishment of the authority of the Inquisition in New Mexico Scholes says:

The fundamental problems of political and religious experience were essentially the same in Santa Fé as in less isolated and more cultured centers. Heresy was just as great a sin there as in Mexico City—greater, perhaps, because the influence of unorthodoxy might be more immediate. . . . Likewise

⁵⁰ Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 17-18.

⁵¹ Scholes, "The First Decade of the Inquisition in New Mexico," *loc. cit.*, p. 198.

the basic problems of the proper relations between Church and State presented themselves in this struggling community . . . but because the community was so small and unlettered the factional consequences of Church and State controversies cut through to the very foundations of society.⁵²

However, the establishment of the authority of the tribunal of the Inquisition in New Mexico was not to bring the desired harmony in the bitter conflict that was being waged between Church and State officials. Continuing, Scholes says:

From the Casa Real the governor thundered decrees against prelates and friars. On the doors of San Miguel were posted excommunications against governor and lowly citizens, and from its pulpit were read edicts of the faith against heresy and apostacy. Long before witches were tried in Salem and men were punished for free thought in Boston, Santa Fé had its own witch problem, and men were dragged through its streets to do public penance for offending the Church.⁵³

The history of the Church and State conflict in New Mexico in the seventeenth century, says Scholes,

may be divided into two periods. The first extends from 1610 to 1650, during which the friction between the clergy and civil authorities became progressively worse until it nearly resulted in civil war. During this period the Inquisition played a minor rôle. The second period covers the years from 1659 to 1664, during which the Inquisition was a most effective instrument of ecclesiastical policy. Governor Mendizábal and his wife, Governor Peñalosa, four soldiers of the province, and Fray Juan Ramírez, ex-custodian of the missions, were all tried by the tribunal of the Holy Office in Mexico City as the result of bitter disagreement with the clergy on various phases of mission doctrine and ecclesiastical practice.⁵⁴

Of the Inquisition documents translated hereinafter all but the first two, both of which are short, relate to the second period referred to above as covering the years 1659 to 1664. Also, of the documents covering these years, fully four-fifths of the total number relate to the trials by the Inquisition of Don Bernardo López de Mendizábal, whose term as governor lasted from July 1659 until the latter part of 1661, and that of Don Diego Dionisio de Peñalosa Briceño y Verdugo, who was governor from the latter part of 1661 until the early part of 1664. No effort will be made here to summarize the information contained in these documents for two reasons. First, many of them were utilized by the present writer in the preparation of a twenty-three page monograph in which the administrations of Mendizábal and Peñalosa and the trial of the latter by the Inquisition were summarized.⁵⁵ Second, it is the announced intention of

⁵² Scholes, "Civil Government and Society in New Mexico in the Seventeenth Century, *loc. cit.*, p. 104.

⁵³ *Ibid.*

⁵⁴ Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, p. 25.

⁵⁵ C. W. Hackett, "New Light on Don Diego de Peñalosa: Proof that he never made an Expedition from Santa Fé to Quivira and the Mississippi River in 1662," in *Mississippi Valley Hist. Rev.*, VI: 313-335 (December 1919).

Mr. Scholes, on the basis of the full and complete Inquisition records—in contrast to the extracts of these documents and related comments by Dr. Bandelier that hereinafter are published—to cover in a series of articles details of the administrations and trials by the Inquisition of Mendizábal and Peñalosa.⁵⁶

THE LAST THREE DECADES OF THE SEVENTEENTH CENTURY

1. *New Mexico on the eve of the Pueblo Rebellion, 1670-1680.* After the turbulent administrations of Governors Mendizábal and Peñalosa, New Mexico was to enjoy a measurable degree of peace in administrative affairs until the outbreak of the Pueblo Indian rebellion in 1680. The province experienced, however, a goodly share of near and actual disasters of a different character. In 1670 almost half the population of New Mexico, both Spanish and Indian, only escaped starvation during a great famine by eating "the hides that they had and the straps of the carts, preparing them for food by soaking and washing them and toasting them in the fire with maize, and boiling them with herbs and roots."⁵⁷ The next year, 1671, a great pestilence carried off many people and cattle. "Shortly thereafter, in the year 1672, the hostile Apaches . . . rebelled . . . and the . . . province was totally sacked and robbed by their attacks and outrages, especially of all the cattle and sheep, of which it previously had been very productive."⁵⁸

In the face of famine, pestilence, and Indian hostility in the province of New Mexico, "grave fears for the future existed."⁵⁹ Indeed, had it not been for the liberal aid granted to the secular and religious authorities by the crown at this time the fate of the province can only be conjectured. Scholes has presented a full and complete survey of "the regular caravan service, specially organized for the purpose of transporting supplies to New Mexico," from the time that the province of New Mexico became a crown colony under Governor Peralta (1609) until this service, "under contract with the friars or a layman, came to an end," in 1674. "But this was not the end of the supply service. The transportation of supplies continued, but in such form as the procurator-general wished to arrange."⁶⁰

Scholes says:

With the royal alms paid in 1674 the procurator-general, Fray Francisco de Ayeta, purchased wagons and mules for the account of the Order and transported the usual supplies. Fray Ayeta was one of four or five outstanding figures in the New Mexican church in the seventeenth century—ranking with

⁵⁶ Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 25-26.

⁵⁷ Petition of Father Ayeta, Mexico, May 10, 1679, *infra*, p. 302.

⁵⁸ *Ibid.* This deplorable and critical condition of New Mexico in the decade of the 1670's is summarized by Scholes, "The Supply Service of the New Mexico Missions in the Seventeenth Century," *loc. cit.*, pp. 400-402.

⁵⁹ Scholes, *op. cit.*, p. 401.

⁶⁰ *Ibid.*, pp. 93-115, 186-210, 386-400.

Benavides, Perea, Bishop Manso, and Posada. . . . When Ayeta arrived in New Mexico in 1675 he found the province in desperate straits [as the result of the effects of the Church and State conflict on both Pueblo and nomadic tribes, drought, and famine]. It was decided, therefore, that Ayeta, on his return to Mexico City, should advise the viceroy concerning the situation and appeal for aid.⁶¹

In September 1676, Father Ayeta, with authority from and in behalf of the governor of New Mexico and the Cabildo of Santa Fé, presented a formal petition to the viceroy, Don Payo de Rivera, asking for reenforcements in the form of men, arms, horses, and ammunition to enable the province to withstand the continued invasions of the Apaches and their heathen allies. The number of men asked for was fifty, to be armed and provided with twelve horses each, and whose duty it should be to guard the frontiers. In addition, arms for fifty citizens of the province, one thousand horses in all, and supplies sufficient to conduct the same to New Mexico were asked for, all to be provided at an approximate cost of 14,700 *pesos*, besides the [regular triennial gift of] supplies which were to be carried to the religious.⁶²

Early cédulas and corroboratory opinions and reports from the civil and religious authorities of New Mexico were submitted by Ayeta and on September 22, 1676, "money was allowed for the following: fifty soldiers to guard the frontiers; eight women to accompany the train to make tortillas and cook for the men; one thousand horses . . . ; twelve men to drive the horses; supplies for the caravan sufficient to last six months . . . ; and other miscellaneous provisions. The total cost was 14,700 *pesos*," exclusive of the regular triennial gift to the religious of the province, the value of which was 61,440 *pesos*.⁶³

This aid was conducted to New Mexico by Father Ayeta in 1677;⁶⁴ the carts in his charge "in which the reënforcements were transported arrived in the said provinces [of New Mexico] nine months after the 27th of February, 1677, on which date they left this [the] City of Mexico."⁶⁵

Beneficent as was this aid, it did not meet the needs of New Mexico. In 1679, Father Ayeta advised the viceregal authorities that, for the purpose of garrisoning New Mexico and strengthening it "as a defense against the attacks of the barbarous nations . . . a further succor should be granted immediately to the said provinces, equal to that which his Majesty has already confirmed, of fourteen thousand and seven hundred *pesos*, in order to conduct therewith another fifty men, paid, and armed

⁶¹ *Ibid.*, pp. 402-403.

⁶² C. W. Hackett, "The Retreat of the Spaniards from New Mexico in 1680, and the Beginnings of El Paso," in Texas State Hist. Assoc., *The Quarterly*, XVI: 147 (October 1912).

⁶³ *Ibid.*, pp. 147-150.

⁶⁴ The viceroy to the king, Mexico, June 19, 1679, *infra*, p. 285; petition of Father Ayeta, 1678?, *infra*, pp. 286-287.

⁶⁵ Petition of Father Ayeta, Mexico, May 10, 1679, *infra*, p. 297.

with their arquebuses, swords, and daggers, with saddles, bridles and spurs for their mounts, as in the first relief, omitting the thousand horses that went then [1677] and applying the three thousand pesos of their value to the keep of the men. . . ." ⁶⁶ These fifty soldiers, it was anticipated would be needed for a period of ten years and with them it was proposed to establish a presidio.

The matter was taken under advisement by the *fiscal* of the Audiencia in Mexico City, but that official recommended that the matter of sending further aid to the secular authorities of New Mexico be suspended for the present, thereby causing the plan to fall through. On June 19, 1679, the viceroy wrote to the king informing him of the facts stated, and at the same time enclosed affidavits of the correspondence between Ayeta and the Mexican authorities. In reply the king issued a *cédula* of June 25, 1680, in which he stated that, because of the benefits that had resulted from the former aid that had been sent to New Mexico, proof of which was contained in the letter of Father Ayeta of May 28, 1679, he ordered the viceroy to apply all the means possible for supplying New Mexico with such aid and defense as might be deemed useful and necessary. . . . By the time this *cédula* reached New Spain, however, the ruin which Father Ayeta had asserted to be imminent, had already befallen unfortunate New Mexico.

Having failed in his efforts to secure aid for the secular authorities in the province, Ayeta started from Mexico City on Saturday, September 30, 1679, with twenty-eight wagon loads for the missionaries. . . . The progress of the wagons from Mexico had been slow, and although six months was the time usually required for such a trip to Santa Fé, by August 25, 1680, they had not passed beyond the monastery of Guadalupe, near the pass of the Rio del Norte. ⁶⁷

It was from these wagons and the escort that was with them that the Spaniards of New Mexico after the Pueblo Indian rebellion of August 1680 received much needed aid on their retreat to the El Paso del Rio del Norte region.

Documents totalling forty-two pages that are herewith translated relate to the aid that was advanced to New Mexico between 1677 and 1680. ⁶⁸ In the latter year, despite the hardships and turmoil of the past few decades, the province of New Mexico had a population, other than that of the indigenous tribes, and including servants, of between 2,500 and 3,000 persons. ⁶⁹

2. *The rebellion and reconquest of the Pueblos, 1680-1696.* With the subject of the Pueblo Indian rebellion of 1680 it is not proposed, for two reasons, to deal in any detail. First, that subject, together with the first attempt of the Spaniards to reconquer New Mexico has already been

⁶⁶ *Ibid.*, p. 297.

⁶⁷ Hackett, "The Retreat of the Spaniards from New Mexico in 1680 . . .," *loc. cit.*, pp. 151-152.

⁶⁸ *Infra*, pp. 285-326.

⁶⁹ See p. 327, note 133.

covered by the present writer in a series of monographs.⁷⁰ In the second place, for the subject of the Pueblo Indian uprising and the definite reconquest of the province by De Vargas in the early 1690's, Dr. Bandelier assembled only a relatively few documents. Therefore it was decided, in place of translating the miscellaneous documents relating to these subjects that were transcribed by Dr. Bandelier,—many of which add no new facts to the known story—to include herein only four or five fundamentally important documents of a general character that heretofore have been unpublished. The most important of these documents include an excellent summary of the Pueblo Indian uprising that was written by Governor Antonio de Otermín approximately one month after the rebellion occurred;⁷¹ a list and memorial of the missionaries who were killed in the rebellion in August, 1680;⁷² a viceregal report to the king concerning the rebellion of 1680 and dated over six months after the rebellion occurred;⁷³ a royal cedula of 1683 approving the establishment of a presidio of fifty soldiers at El Paso;⁷⁴ and a summary by a *fiscal* of the Council of the Indies of a rebellion of certain of the Pueblo Indian tribes in the year 1696,⁷⁵ during the last year of the first administration of Governor De Vargas.

3. *The Mendoza-López expedition from El Paso to the Jumano country, 1683-1684.* In 1683-1684, while the Spanish refugees from New Mexico were still temporarily established at El Paso del Rio del Norte, the well-known expedition of Maestre de Campo Juan Domínguez de Mendoza and Father Nicolás López was made from El Paso, by way of La Junta de los Ríos, to the Jumano Indians in the present San Angelo, Texas, region.⁷⁶

⁷⁰ The fullest account of the Pueblo Indian uprising of 1680 and of the consequent abandonment of New Mexico by the Spaniards is that given by C. W. Hackett in the following articles: "The Revolt of the Pueblo Indians of New Mexico in 1680," in *Texas State Hist. Assoc., The Quarterly*, XV: 93-147; "The Retreat of the Spaniards from New Mexico in 1680, and the Beginnings of El Paso," in *The Southwestern Hist. Quart.*, XVI: 137-168, 259-276 (October 1911).

The story of the Spanish reconquest has never been told definitively. The following articles by C. W. Hackett treat of one of the early attempts to reconquer New Mexico: "Otermín's Attempt to Reconquer New Mexico, 1681-1682," in *Old Santa Fé*, III: 44-84, 103-132 (January-April 1916); "The Causes for the Failure of Otermín's Attempt to Reconquer New Mexico, 1681-1682," in *The Pacific Ocean in History* (New York, 1917), pp. 451-463.

⁷¹ Governor Otermín to Father Ayeta, Sept. 8, 1680, *infra*, pp. 327-335. See also p. 327, note 132.

⁷² List of religious killed in the Pueblo rebellion, *infra*, pp. 335-339. See also p. 335, note 134.

⁷³ The viceroy to the king, Mexico, Feb. 28, 1681, *infra*, pp. 339-348.

⁷⁴ Cedula of Sept. 4, 1683, *infra*, pp. 349-350.

⁷⁵ *Fiscal's* reply concerning the Pueblo rebellion of 1696, Madrid, Dec. 10, 1698, *infra*, pp. 351-353. A brief generalization upon this rebellion, which was participated in by fifteen pueblos and cost the lives of five missionaries is in Fray Juan Álvarez's report, *infra*, pp. 369-391.

⁷⁶ A summary of this expedition and an annotated English translation of the itinerary of Mendoza and López is in H. E. Bolton (ed.), *Spanish Exploration in the Southwest, 1542-1706* (New York, 1916), pp. 313-343. See also *infra*, p. 354, note 182.

In describing the land explored by him on this expedition Mendoza declared it to be "the richest land in all new Spain, for it abounds in grapes, nuts, acorns, berries, plums, buffaloes, rivers with pearls, and mountains full of minerals."⁷⁷ Father López confirmed the productivity of the region visited and detailed his own activity on the expedition. Accompanied by two other religious he said that he went in advance of Mendoza from El Paso—he and his companions "travelling barefoot until they reached the place called La Junta de los Ríos." There they found two huts erected by the natives in anticipation of the coming of the religious. At once López and his colleagues "began to give instruction in the catechism and to build four more huts, where nine nations were sheltered." After baptizing "more than five hundred souls" López and one of his companions went on to the east with Mendoza, leaving the other religious at La Junta. The number of nations visited by López after he had left La Junta was estimated to be seventy-six. He touched, he said, "upon the threshold of the extensive and powerful kingdom of the Texas, and set foot in the country of the Aijados, adjoining the great kingdom of Quivira."⁷⁸

Upon his return from the Jumano country Mendoza memorialized the viceroy on November 18, 1685, to reward his forty-two years of service to the king in New Mexico.⁷⁹ In this petition and in supplementary documents, which are published in this volume, the career of this colorful frontiersman is summarily revealed. One of the most interesting of these documents is the list of titles and honors conferred upon Mendoza by various governors and other officials of New Mexico since the administration of Governor Ugarte y Concha (1649-1653).⁸⁰ Another one is the letter supporting Mendoza's petition that was written by Father López on April 25, 1686. In that letter, López stated that Mendoza had, at his own expense, "served his Majesty in the provinces of New Mexico from the age of fourteen up to fifty-four," and in the Pueblo Indian rebellion alone, had lost more than 40,000 pesos. López regretted that Mendoza had not been appointed governor of New Mexico, evidently to succeed Otermín, and that that office had been given "to a person entirely incompetent for the business." It was upon being denied the governorship of New Mexico, according to López, that Mendoza petitioned for authority to return a second time "to the lands in the east and north."⁸¹

Meanwhile Father López was petitioning also to be allowed to go to the seventy-six nations beyond La Junta which he previously had visited.

⁷⁷ Memorial of Domínguez de Mendoza, Nov. 18, 1685, *infra*, p. 356. The natural resources of the region were confirmed by Fray Nicolás López. See the latter's report to the viceroy, *infra*, p. 362.

⁷⁸ Fray Nicolás López to the viceroy [1686], *infra*, p. 361.

⁷⁹ Memorial of Domínguez de Mendoza, Nov. 18, 1685, *infra*, pp. 354-356.

⁸⁰ Certification of the *cabildo* of Santa Fé, Guadalupe del Paso, Oct. 3, 1684, *infra*, pp. 357-358.

⁸¹ Fray Nicolás López to the Señor Secretary, Mexico, Apr. 25, 1686, *infra*, pp. 363-364.

Citing his acquaintance with the Jumano language and the fact that he already had "preached in it to those barbarians," Father López warned that if the Most Christian King of France—"for it appears that he has had dealings with them for many years—" succeeded in winning over the Jumanos, great danger to the northern frontier of New Spain would result. On the other hand if the king of Spain should maintain the friendship already established with the Jumanos, López predicted that the ingress of the French could be prevented with two hundred men. In this connection López played up the potentialities of the region, characterizing as indescribable "the multitude of buffaloes, the variety of fruits, diversity of fish, the abundance of prairie chickens, quail, partridges, and especially the grape vines." All these things he said that he saw "as did other persons who entered on the said [first] expedition."⁸²

The petitions of Mendoza and López received no support from the superior authorities. The explanation is found in the following statement by Bolton:

The expedition of 1684 now became the basis of an attempt to occupy the Jumano country with missionaries and soldiers. On their return to El Paso both Father López and Mendoza went to the city of Mexico, where they prepared memorials, in 1685 and 1686, urging such a step, and it is not at all improbable that if danger from the French on the Gulf coast had not just then arisen, the recommendations would have been put into effect.⁸³

The documents in the *expediente* relating to the memorials of Mendoza and Father López are translated in this volume.⁸⁴

NEW MEXICO IN THE EIGHTEENTH CENTURY

1. *Constructive work of Governor Don Francisco Cuervo y Valdes, 1705-1706.* Much constructive work was accomplished at the beginning of the eighteenth century by Governor Don Francisco Cuervo y Valdes, who served as governor *ad interim* from 1705 to 1706.⁸⁵ On April 23, 1706, he reported to the king that the pueblo of Galisteo had been resettled with 150 families of Christian Tanos Indians who had been scattered since 1702. There a new church was being built and cornfields were being planted and cultivated.⁸⁶ On the same day Cuervo issued a certificate of the founding of the new villa of Albuquerque. Thirty-five families, comprising 252 persons, made up the population of the new villa. A capacious and decently furnished church had been built there, irrigation ditches had been opened, and plantings had been made—all at no expense to the

⁸² Letter of Fray Nicolás López, [1686], *infra*, pp. 360-363. For a summary statement regarding French aggressions in Texas between 1685 and 1689 see II: 49-50 of this series and sources there cited.

⁸³ Bolton *Spanish Exploration in the Southwest*, p. 317.

⁸⁴ See *infra*, pp. 354-365.

⁸⁵ Bloom, "The Governors of New Mexico," *loc. cit.*, p. 155.

⁸⁶ Governor Cuervo y Valdes to the king, Santa Fé, Apr. 23, 1706, *infra*, p. 379.

crown.⁸⁷ The importance of establishing a presidio at a middle station on the road to New Mexico was pointed out by Governor Cuervo in July, 1706,⁸⁸ but the proposal was reported upon adversely by the *fiscal* of the Council of the Indies five years later.⁸⁹

Against the long-time hostile Navajos, Cuervo waged vigorous war which terminated in his favor. As a result the Navajos, whose country and customs Cuervo described interestingly, asked for baptism and missionaries.⁹⁰

One of the most notable of Governor Cuervo's achievements was the recovery of seventy-four Pecuries Indians from the heathen tribes living northeast of Santa Fé, to whom the Pecuries had fled in the rebellion of fifteen pueblos in 1696. This recovery was accomplished by Sargento Mayor Don Juan de Uribarri, with forty soldiers in 1706. Among the Indians whose release he secured was Don Luis Tupatú, one of the prime movers of the Pueblo rebellion of 1680. The recovered Pecuries Indians were resettled in their former pueblo of San Lorenzo.⁹¹ Because he defended the province of New Mexico and made it "happy and secure," many Indian chiefs in 1706 petitioned that Cuervo be retained as governor.⁹²

2. *Status of the New Mexico missions, 1696-1754.* The last few years of the seventeenth century and the first half of the eighteenth century constituted a period of retrogression for the missions of New Mexico and one of sorrow, hardship, and disappointment for the missionaries. In a rebellion of fifteen pueblos in 1696, five religious lost their lives.⁹³ Subsequent to 1696 "several uprisings of Christian Indians themselves occurred accompanied by much bloodshed." These uprisings were in addition to the "sudden attacks by the hostile nations," who spared neither "villa, pueblo, ranch, hacienda, house, or road from their fury, for they have no other aim than to destroy the pueblos and make an end of the Christian Indians and white people."⁹⁴

Statistical summaries of the condition of the New Mexico missions, made by three missionaries in the period between 1706 and 1754, are hereinafter translated. The first of these, prepared by Fray Juan Álvarez, custodian of the province, in the year 1706 reveals that there were only twenty-one missionaries in the province at that time. Of these, in upper

⁸⁷ *Ibid.*, p. 379.

⁸⁸ Report of Governor Cuervo y Valdez, July 13, 1706, *infra*, p. 381.

⁸⁹ Reply of the *fiscal*, Madrid, Jan. 16, 1711, *infra*, p. 381.

⁹⁰ Governor Cuervo y Valdez's report of Aug. 18, 1706, *infra*, pp. 381-383.

⁹¹ Governor Cuervo y Valdez to the king, Santa Fé, Oct. 18, 1706, *infra*, pp. 383-384.

⁹² Certification of Captain Aguilar, Santa Fé, Jan. 10, 1706, *infra*, pp. 366-369.

⁹³ Report of Fray Juan Álvarez, Nambé, Jan. 12, 1706, *infra*, p. 372; Governor Cuervo y Valdez to the king, Santa Fé, Oct. 18, 1706, *infra*, p. 383.

⁹⁴ Statement of Fray Andrés Varo, quoted in Fray Pedro Serrano's report of 1761, *infra*, pp. 479-501.

New Mexico ⁹⁵ fourteen missionaries, one of whom was temporarily absent, served the villa of Santa Fé, the new villa of Santa Cruz, the villa and mission of Bernalillo, the pueblo of Pecos, and seventeen other missions, eight of which were listed as *visitas*. Exclusive of Spanish settlers, the number of whom is not given, the total number of Christian Indians that were administered to by these fourteen missionaries was given as 8,840. Five missions and the incorporated villa of Spaniards known as the Real de San Lorenzo, which was a *visita* and also the site of a presidio of fifty soldiers, were located in the present El Paso region and were served by five missionaries. The father *procurador* of the *custodia* and the father commissary at Santa Fé made the total of twenty-one missionaries in New Mexico. No estimate was given of either the number of Spanish settlers or Christian Indians at the El Paso settlements although the statement was made that there were "many" Indians at each of the missions of Senecú, Isleta, and Socorro.

Not only were the missionaries few in number but the church establishments were poor and there was almost a dearth of necessary mission equipment. Of twenty-one churches mentioned by Álvarez, four were described as being small and thirteen were listed as being under construction or in the process of being repaired. In only three places was the mission equipment reported to be adequate or satisfactory whereas it was said to be either antiquated, deficient, or totally lacking in twenty-four other places.

After detailing the hardships of the missionaries and the miserable and sad condition of the missions of New Mexico resulting from the lack of necessary equipment, Fray Álvarez petitioned that these deficiencies be made up; that thirty-four additional missionaries be sent to New Mexico; and that arrears in payments due the missionaries be paid. Particularly did Fray Álvarez urge an assistant for the one missionary at Santa Fé because of the relatively large Spanish population there, including one hundred presidial soldiers, most of whom had wives and children.⁹⁶

Thirty-eight years after the Álvarez report on the New Mexico missions was made, a similar one was prepared by Fray Miguel de Menchero—at that time, 1744, the *procurador general* of the province. By him the three villas of Santa Fé, Santa Cruz de la Cañada, and Albuquerque, and the new settlement of Genisaros Indians in upper New Mexico were first described. In the three villas and on the ranches contiguous to them, were living a total of 536 Spanish families. Santa Fé was the metropolis, with 127 resident Spanish families and a few families of Indians; there lived the governor and presidial soldiers. Forty families of various nations com-

⁹⁵ By upper New Mexico is implied the area extending in a south-north direction from San Agustín de la Isleta, near present Albuquerque, to Taos and Pecos, and, in an east-west direction, from Pecos to Ácoma and Zuñi.

⁹⁶ Report of Fray Juan Álvarez, Nambé, Jan. 12, 1706, *infra*, pp. 372-378.

prised the new settlement of the Genisaros Indians. The raising of wheat, sheep, and cattle; fishing; and the weaving of hosiery and blankets were listed as the chief occupations of the Spanish families. For all of them only four religious were listed, of whom two were stationed at Santa Fé. In these settlements only one church was described by Menchero, a "sumptuous" one at Santa Cruz de la Cañada which was in the process of being constructed.

In addition to the four above-mentioned settlements Menchero listed twenty Indian pueblos and missions. The population of these plus that on the contiguous ranches was given as something more than 1,525 Indian families. Twenty resident missionaries served seventeen of these Indian pueblos and missions; the other three missions were *visitas*—at least one of them, Tesuque, being a *visita* of Santa Fé. Only one church for these establishments was described by Menchero—a beautiful and capacious one at Pecos.

For the El Paso district Menchero listed six missions, one hacienda and two ranchos. At these southern establishments lived approximately 225 Spanish families and more than 510 families of Christian Indians. At the mission of Nuestra Señora de Guadalupe at El Paso was a presidio of forty soldiers. At that time a very capacious church was being built at San Antonio de la Isleta, a few miles below El Paso. Most of the El Paso settlements were in an irrigated district where wheat and grapes were raised; on the nearby hacienda and ranchos cattle, sheep, wheat, and corn were raised. For this comparatively large Christian population of Spaniards and Indians eight missionaries were assigned, one of whom served as royal chaplain at the presidio.⁹⁷

Thus the total Christian population of New Mexico as estimated by Menchero was 752 Spanish families—apparently in addition to the presidials at Santa Fé and El Paso—and 2,075 Christian Indian families. This total Christian population was administered by thirty-two missionaries.

A third report on the New Mexico missions, hereinafter translated, was made in 1754 by Fray Manuel de San Juan Nepomuceno y Trigo.⁹⁸ By him twenty missions, in addition to the villa of Albuquerque, and the missions at the villas of Santa Fé and Santa Cruz de la Cañada, were listed for upper New Mexico. The number of missionaries for these twenty-three Christian establishments was given as twenty-one. Apparently as an oversight, no missionary was mentioned for the mission of Nuestro Señor Padre San Francisco and the villa of Santa Fé; however, the nearby mission of San Diego Tesuque was listed as a *visita* of Santa Fé—the only *visita* mentioned by Trigo. At these twenty-three settlements

⁹⁷ Declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744, *infra*, pp. 395-412.

⁹⁸ Letter of Fray Manuel de San Juan Nepomuceno y Trigo, San Matías de Ystacalco, July 23, 1754, *infra*, pp. 459-468.

wheat, corn, melons, sheep, and goats were listed as being raised.⁹⁹ Except in a few instances, as at the mission of Nuestra Señora de los Dolores de Sandía, where more than fifty families of apostate Moqui Indians lived, the population figures are not given. The settlers at Santa Fé, Santa Cruz, and Albuquerque were all Europeans—no Indians living at any of these places. However, at all of the twenty-three establishments in upper New Mexico from six to twelve workers—including women for grinding corn, men for supplying wood, bell-ringers, porters, cooks, sacristans, and others—were assigned to serve the missionaries.

In the El Paso district five missions were functioning, each of which was served by one missionary. At these missions fruit, corn, wheat, vegetables, and grapes were raised. The mission of Nuestra Señora de Guadalupe y Paso del Rio del Norte was described as the "flower" of all the New Mexico missions, "both on account of its fruits and garden products and of its climate. . . . The residents have their vineyards and fruit-trees—peaches, apples, plums and several kinds of pears"—also "a vineyard which is cultivated and pruned by a horticulturist furnished each week by the Indians, whose wines defray the necessary expenses of the celebration of the sacrament in the mission." Indian mission workers, varying in number from five to eleven for each mission, served the five missionaries at the El Paso establishments. Only "six or eight" Spanish families and no Indians lived at the mission of San Lorenzo del Real; fifty Indian families lived at the mission of Nuestro Señor Padre San Francisco de Socorro. No other population figures for the El Paso establishments were given by Father Trigo.¹⁰⁰

To recapitulate: according to Trigo no fewer than twenty-six, and possibly twenty-seven, missionaries were serving in four Spanish settle-

⁹⁹ With reference to the agricultural, pastoral, and mineral development of New Mexico in 1760 see the account of lamentable happenings in that province by Fray Juan Sanz de Lezaún, *infra*, pp. 468-479.

¹⁰⁰ In 1750 the presidial inspector, Don Juan Antonio de Ornedal y Maza, reported that "the inhabitants of the pueblo of El Paso number three hundred and eighty-four families, those of San Lorenzo twelve, those of Senecú thirteen, and those of Socorro forty-two. . . . The revenue produced by the missions of El Paso in the year '48 exceeded four thousand pesos . . . and likewise, from the vineyards of the convents of the four missions sufficient grape juice is taken to make more than enough wine for gifts to the ministers and for the sacrament of the masses." See the report of the Franciscan provincial to the viceroy, Mexico, March 1750, *infra*, pp. 438-459.

In connection with Father Trigo's statistical summary of the New Mexico missions in 1754 the following statistical statement, made by Fray Andrés Varo in 1750, is offered by way of comparison: "If I regard the number of Indian pueblos alone, each pueblo with its church in which the holy sacrifice of the mass was celebrated, there were [in the past] one hundred and fifty, but to-day they do not number fifty—not more than forty at most. Although in the year 1644 the convents and those reduced to the catechism [in the past] numbered five hundred thousand souls [see also, *infra*, p. 495, for a similar statement by Serrano], they are now become, since the year 1680, furies of hell, who, in confederation with innumerable nations, conspire only to destroy us. Although in the year 1680 there were numbered eighty-six thousand souls already Christianized and well instructed in the catechism, they will to-day scarcely reach seventeen thousand five hundred."

ments and at twenty-four Indian missions. Of interest is Trigo's description, with which he concludes his report, of the routine of the service at the missions :

At seven in the morning when the bell is rung, the girls come to the church where, in the presence of the *fiscal*, the minister prays all the prayers with them and repeats the Christian doctrine ; they conclude with a hymn of praise which is nicely sung, and they go to their houses. The same is done with the boys, who say their prayers in the same manner. The rest of the pueblo only prays on Sunday after mass, while the father breakfasts in order to [be ready to] attend the roll-call [*cuenta*].

3. *Missionary efforts among the heathen tribes.* The conversion of the neighboring heathen Indians greatly concerned the missionaries of New Mexico in the eighteenth century. In 1733 the custodian, Father José Ortis de Velasco, founded a mission for the Xicarillas Indians, who lived five leagues north of Taos. He had begun to congregate and instruct them when, for reasons unknown, the governor sent soldiers to drive out the neophytes, thereby blocking the project of Father Velasco.¹⁰¹

A decade later efforts were made to convert and reduce to missions the heathen Navajos, who lived four days' journey beyond the mission of San Diego de los Jémez. This work was initiated by Father Carlos Delgado and an assistant in March 1744. As a result of their exhortations, good treatment, and gifts, the missionaries, after six days, induced more than 5,000 Navajos to become Christians and these were "placed in missions in their own province." The next month some Navajos who came to visit Delgado were presented by him to the governor, who "caressed and flattered them and took them under the royal protection as vassals " of the king.¹⁰² Later, in June 1744, the governor petitioned the viceroy "for three or four religious for the province of Navajo."¹⁰³ Royal interest in this project was revealed in a cedula of November 23, 1745, in which the king asked for a "detailed and definite report" on what had been done concerning the request for missionaries. He also instructed the viceroy, in case that the reported success of the two missionaries among the Navajos were true, "to attend by all possible means to the increase and extension of these new reductions and conversions."¹⁰⁴ The Navajos were visited by the father custodian, Fray Juan Miguel Menchero, while he was on an inspection of the *custodia* of New Mexico, apparently in 1746. His visit was proclaimed a "success" and the Navajos were reported, "through

¹⁰¹ Declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744, *infra*, p. 403.

¹⁰² Letter of Fray Carlos Delgado to the Father Commissary General, Isleta, June 18, 1744, *infra*, pp. 391-393; cedula of Nov. 23, 1745, *infra*, p. 416; letter of Fray Carlos Delgado, Isleta, July 11, 1746, *infra*, pp. 421-422.

¹⁰³ Letter of Fray Carlos Delgado to the Father Commissary General, Isleta, June 18, 1744, *infra*, p. 394.

¹⁰⁴ Cedula of Nov. 23, 1745, *infra*, p. 416.

the preaching of the gospel" to have been "sufficiently reduced to be gathered into the fold of our holy Father."¹⁰⁵

About the same time the interest of the missionaries was aroused in some of the Apaches. Following his visit to the Navajos about 1746, Father Menchero "went to another nation of heathen Apaches at a place called La Cebolleta, where . . . he succeeded in multiplying the lambs of the Divine Shepherd, bringing to his fold more than five hundred souls." All of the children at La Cebolleta were baptized but baptism was denied the grown-ups, despite their alleged pleadings, until they might spiritually be prepared for it by missionaries.¹⁰⁶ Four years later two new missions, La Cebolleta and Encinal, had been established for Indians whom Governor Cachupín referred to as Navajo Apaches, and missionaries were engaged in the reduction and catechizing of those Indians.¹⁰⁷ At the same time friction was threatened between the Indians at the mission of Encinal and the Queres Indians at the mission of Ácoma as a result of the former Indians' petitioning to be allowed, because of the greater abundance and convenience of water, to found their pueblo at the place called Cubero. At once Governor Tomás Vélez Cachupín pointed out to the father vice-custodian that the granting of this petition might "produce some disagreements and ill-will with the mission of Ácoma in regard to the territory and appurtenances of each, which would occasion great injury to the conversion of the Navajos."

Solicitous concerning the efforts that thus far had been made to effect the conversion of the Navajo Apaches and at the same time desirous of not incommoding or offending the Ácomans, Governor Cachupín sent his lieutenant-general with instructions that were designed to settle the differences of the two Indian groups, and to the mutual satisfaction of each, in regard to their "possessions, territories, waters, and pastures." The governor also requested the vice-custodian to interest himself personally in this matter and, if possible, to accompany his lieutenant-general on his peace mission. Such a visit by the vice-custodian, it was pointed out,

¹⁰⁵ Letter of Fray Juan José Pérez Mirabal to the Commissary General, Isleta, July 8, 1746, *infra*, p. 421.

¹⁰⁶ *Ibid.*; letter of Fray Carlos Delgado to the Commissary General, Isleta, July 11, 1746, *infra*, pp. 421-422.

¹⁰⁷ Communication written by Governor Tomás Vélez Cachupín, Santa Fé, Mar. 24, 1750, *infra*, pp. 424-425.

Writing in 1760, Fray Juan Sanz Lezaún said that in 1748 he had gone as minister to Encinal and at the same time Fray Manuel Vermejo had gone as minister to Cebolleta—the Indians at both of which pueblos he said had recently been converted by Father Delgado. Continuing, Lezaún says: "We labored at catechizing these Indians about five months . . . and finally they repented." But because the governor ordered the Indians of Laguna to go to Cebolleta "to work his fields, sow them, build a church and pueblo," and had ordered the Ácoma Indians to go to Encinal, "these Indians," finding themselves oppressed ". . . created such a schism among the Apaches that the latter desisted from their intended conversion and revolted." See the account of lamentable happenings in New Mexico written by Fray Juan Sanz de Lezaún in 1760, *infra*, pp. 471-472.

would enable the ministers of the two new missions of La Cebolleta and Encinal "to fulfill their charges in the reduction and catechizing of those Indians in the wisest and most efficacious manner." The governor suggested that the vice-custodian might be able to secure the aid and co-operation of the missionaries at both Ácoma and La Laguna.¹⁰⁸

In compliance with this request the vice-custodian set out for the territory of the disputing Indians. But on April 16, 1750, while at La Laguna he learned through a letter from the governor that the Indians of the new conversions of Encinal and Cebolleta had rebelled and driven out the two missionaries "who were laboring to instruct them . . . and suffering many hardships in the service of both Majesties." Instructed by the governor to make a full investigation of the situation, the vice-custodian asked for sworn testimony from the *alcalde mayor* of these missions and his lieutenants and also from the *alcalde mayor* of Zuñi, and this testimony was given before the lieutenant-general, Don Bernardo Antonio de Bustamante y Tagle, on April 18, 1750. The testimony of the *alcalde mayor* of San Estevan de Ácoma, of his lieutenant in the jurisdiction of Ácoma and La Laguna, and of the lieutenant and *alcalde mayor* of the pueblo of Nuestra Señora de Guadalupe de Zuñi in substance was that on April 16 and 17, 1750, respectively, mass meetings of the Indians of Cebolleta and Encinal had been attended by Bustamante y Tagle, the vice-custodian, and other Spaniards. By them much "affection" was "exhibited toward the Apaches" and they were addressed, through interpreters, by both the lieutenant-general and the vice-custodian. The Indians were assured that if they would submit they would be rewarded by God and held in esteem by the padres and the governor; also they were promised that their pueblos would be located "apart in a good place, where they could plant their crops and live at ease," and that there they would be free from any molestation. The vice-custodian even offered to send them a new padre in case that they were displeased with their present one.

The exhortations of the Spaniards were unavailing. The Indians insisted, since "they had been raised like deer," that they did not want to

¹⁰⁸ Communication written by Governor Tomás Vélez Cachupín, Santa Fé, Mar. 24, 1750, *infra*, pp. 424-425.

According to Hodge (in E. E. Ayer, ed., *Memorial of Fray Alonso de Benavides, 1630*, Chicago, 1916, p. 251), Governor Vargas in 1697 failed to conquer the Ácomans. Near the end of the next year "a new village was established on the Rio Cubero (now Rio San José) 17 miles northeast of Ácoma, by rebel Queres from Santo Domingo, Cochiti, Sia, evidently Ácoma, and probably other Queres towns. . . . It was visited by Governor Pedro Rodriguez Cubero on July 4, 1699, when the natives of the new settlement declared their allegiance and the town was named San José de la Laguna . . . and by this name it has ever since been known." According to Fray Juan Sanz de Lezaún, writing in the year 1760, "Reverend Father Miranda, a very apostolic man, went through all the land, even to the most rugged sierras, collecting the wandering sheep of numerous nations. With them he founded a mission called Señor José de la Laguna. They spoke many languages but have all learned that of the Queres, forgetting their native tongues." Account of Lezaún, *infra*, p. 469.

be reduced to pueblos and live like Christians. They denied that they had ever asked for missionaries and claimed that they had told Father Menchero, on his visit to them in 1746, of their unwillingness to become sedentary. They had only given to Menchero "some of their children to have water thrown upon them" and had told him that they, "as believers, might build a pueblo and have a father," but as for themselves, they had assured Menchero they "would live as they had always lived." They said that their padre had done them no harm but that he was poor and had nothing to give them. They complained that Menchero, who had "given hoes and picks as payment to those who brought their children to be baptized," had "not given them all that he had promised for bringing their children to be baptized"—such as "mares, mules, horses, cows, clothing, and many sheep."

A Christian interpreter at Encinal, who said that these Indians were his "people" and "relatives," assured the Spaniards of their opposition to being reduced and of their fickleness. "They may say yes," according to the interpreter, "in order to get what is offered them, but afterwards they say no." The interpreter admitted his inability to convince his mother and sister, who were there, to become Christians. Professing a desire to be on friendly terms with the Spaniards, the Indians agreed that their children might be baptized but on condition that they continue to live with their parents "and not go to see the father." Upon reaching maturity "perhaps" these baptized children, they said, "would wish to live like the Indians of Ácoma and others."¹⁰⁹

No recorded instances are available that relate to missionary efforts among the far-flung Comanches. However, interesting details of the trade between the Spaniards and the Comanches at what virtually amounted to Comanche fairs were recorded by Father Varo in 1750.¹¹⁰

4. *Efforts to reconvert the Moquis, 1699-1760.* One of the most troublesome problems confronting New Mexico officials in the first half of the eighteenth century was that of the reconversion of the Moqui Indians. These Indians rebelled in the general uprising of 1680. Between 1699 and 1732 missionaries singlehandedly on no fewer than four occasions endeavored to renew missionary work among them; in approximately the same period no fewer than four punitive expeditions, one of which was accompanied by missionaries, were sent by New Mexico governors against the Moquis. The efforts of the missionaries to reconvert them and of the soldiers to reconquer them were alike unavailing.¹¹¹ The first appreciable success toward pacifying the Moquis was made by Fray Carlos Delgado

¹⁰⁹ *Autos* of Don Bernardo Antonio de Bustamante y Tagle, Ácoma, Apr. 18, 1750, *infra*, pp. 435-438.

¹¹⁰ See statement by Fray Andrés Varo, as quoted in the report of Fray Pedro Serrano, 1761, *infra*, pp. 486-487.

¹¹¹ Notes upon Moqui, by Fray José Narváez Valverde, Senecú, Oct. 7, 1732, *infra*, pp. 385-387; see also, the declaration by Fray Miguel de Menchero, Santa Bárbara, May 10, 1744, *infra*, p. 411.

and Fray Pedro Pino. In 1742 these missionaries succeeded in converting to the Christian faith 441 Moquis of both sexes and of all ages.¹¹² These new converts were brought out of Moqui by Delgado and distributed for purposes of Christian instruction among the various missions.¹¹³ The religious were prevented by the governor, for reasons unspecified, from entering Moqui in 1743, but the next year Fray Delgado and Fray José Trigo went there where they are reported to have converted more than 5,000 souls. In September 1745 Fray Delgado, accompanied by two other missionaries, an escort of three soldiers, and about twelve other persons, was again in Moqui, but, although he and his colleagues were well received, they were unable, probably through lack of soldiers, to bring out all of the Moquis who, because of continuous wars, would have come out with the padres. As it was, approximately 2,000 Moquis were conducted by Delgado to Zuñi. Some of these finally were located at Jémez and Isleta and others were put under the personal service of the governor and *alcaldes mayores* of the province.¹¹⁴

At that time, 1745, Delgado reported that the population of Moqui was 10,846 and that those Indians lived in six pueblos that were located within a distance of six leagues.¹¹⁵

The work that the Franciscans had thus initiated among the Moquis was now placed in jeopardy. A cedula of July 19, 1741, ordered that three Jesuits from Pimería Alta should be designated to work among the Moquis. Accordingly, the viceroy decreed that the Jesuits should take under their "care and charge the conquest and reduction" of the Moquis.¹¹⁶

Opposition to this proposed action was voiced by both Father Delgado and the Jesuit provincial. On June 18, 1744, Father Delgado predicted that in case the Jesuits went to the Moquis, who, he claimed, wanted no "other missionaries than the Franciscans," it would be with great risk to their lives. At the same time he charged, although apparently without foundation, that the Jesuits, desirous of securing Moqui, had reported to the king that the Moquis wanted them—a claim which he asserted was

¹¹² Letter of Governor Gaspar Domingo de Mendoza, Santa Fé, Oct. 31, 1742, *infra*, p. 388; letter of Fray Ignacio Pino, Albuquerque, Nov. 16, 1742, *infra*, pp. 388-389; letter of Fray Cristóbal Yraeta, Paso del Río del Norte, Nov. 24, 1742, *infra*, pp. 389-390; declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744, *infra*, p. 411; letter of Fray Cristóbal de Escobar y Llamas to the viceroy, Mexico, Nov. 30, 1745, *infra*, p. 417; and report of Fray Carlos Delgado to Father Ximeno, Tlatelolco, Mar. 27, 1750, *infra*, p. 429.

¹¹³ Declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744, *infra*, pp. 405-406.

¹¹⁴ Letter of Fray Carlos Delgado to the Commissary General, Isleta, Nov. 15, 1745, *infra*, pp. 414-415; account of lamentable happenings in New Mexico, by Fray Juan Sanz de Lezaún, in 1760, *infra*, p. 472.

¹¹⁵ Letter of Fray Carlos Delgado to the Commissary General, Isleta, Nov. 15, 1745, *infra*, p. 414.

¹¹⁶ Letter of Father Escobar y Llamas to the viceroy, Mexico, Nov. 30, 1745, *infra*, p. 417.

disproved by the warm reception which the Moquis had accorded him.¹¹⁷ Later, while among the Moquis in 1745, Delgado heard that the Jesuits had tried in 1743 to reach Moqui but that they had lost their road and some members of their escort were killed. This was cited by him as proof that the Moquis did not want the Franciscans' work of many years "destroyed by this means."¹¹⁸

Difficulties in the way of compliance with the royal order transferring Moqui to the Jesuits were pointed out in 1745 by the Jesuit provincial, Fray Cristóbal de Escobar y Llamas. The scarcity of Jesuit workers, the provision in the Laws of the Indies which prohibited missionaries of different Orders from operating in the same territory, and the fact that the Franciscan, Father Delgado, had already met with marked success among the Moquis were mentioned by the Jesuit provincial. For the Jesuits to undertake work among the distant Moquis, Escobar y Llamas said that it would be necessary to double the regular annual pay of 300 pesos to the missionaries and to grant to each missionary an escort of from four to six soldiers who would be subordinate to him and assigned to him for a period of from three to four years. Compliance with the royal order calling for at least two Jesuits in each Moqui pueblo was declared to be impossible.¹¹⁹ The report of Escobar y Llamas apparently had the effect of causing the royal and viceregal authorities to rescind their earlier orders, for in 1745 "the Moquis were again assigned to the Franciscans."¹²⁰

Two years after Moqui had been reassigned to the Franciscans, Governor Menchero, in compliance with viceregal orders, brought out from Moqui some Indians whom he settled in the pueblo of Sandía. There the transplanted Moquis seem to have adjusted themselves to their new environment, for in 1760 Sandía was described as a "natural bulwark of defense" against the fierce Faraones Apaches, and was reported to have "one of the most magnificent [missions] both on account of its situation as well as of its splendid cultivated fields."¹²¹

When in the documents herein printed Moqui is next heard of, in 1754, its pueblos, as the result of continuous wars, had been reduced to five in number and the total population, made up in part of rebellious and deserter Indians from the Christian pueblos of New Mexico, had declined to 8,000.¹²²

¹¹⁷ Letter of Fray Carlos Delgado to the Father Commissary General, Isleta, June 18, 1744, *infra*, pp. 393-395.

¹¹⁸ Letter of Fray Carlos Delgado to the Father Commissary General, Isleta, Nov. 15, 1745, *infra*, pp. 414-415.

¹¹⁹ Letter of Father Escobar y Llamas to the viceroy, Mexico, Nov. 30, 1745, *infra*, pp. 417-420.

¹²⁰ H. E. Bolton and T. M. Marshall, *The Colonization of North America, 1492-1783* (New York, 1921), p. 304.

¹²¹ Account of lamentable happenings in New Mexico, by Fray Juan Sanz de Lezaún, in 1760, *infra*, pp. 472-473.

¹²² *Ibid.*, p. 469.

5. *Missionary progress at La Junta de los Ríos, 1714-1760.* Of great significance for the northern frontier in the eighteenth century was the work of the missionaries at La Junta de los Ríos—the junction of the Conchos and Rio Grande Rivers. Although earlier efforts to Christianize the Indians there had been made in the latter part of the seventeenth century,¹²³ it was not until the second decade of the eighteenth century that the efforts of the missionaries were crowned with anything approximating success. In 1714, some Indians at La Junta who had secretly “kept the faith since the last hostile attack,” when the missionaries were forced to abandon them, appealed to the viceroy, the Duke of Linares, for missionaries. Two years later that viceroy ordered that six missionaries be sent to La Junta, as was done. By these missionaries, who were provided with the necessary supply of cows, sheep, and tools for the cultivation of the land, six missions were founded within two years’ time during which they experienced “great temporal and spiritual increase.” In their work the missionaries were greatly aided by a native Indian governor, named Francisco, whose untimely death cut short an exemplary and devoutly Christian career.

Heathen Indians across the Conchos River from the missions were accustomed to prey upon the grazing cattle of the missionaries and when demands were made upon them for the return of some stolen cattle they conspired to kill the missionaries and certain Christian Indians. Their plans failed and the padres escaped to Chihuahua from where one of them proceeded to Mexico City to interview the viceroy, the Marquis of Valero, and petition him for a presidio at La Junta. Valero gave some encouragement to the proposal but because he was superseded at this time—1722—new policies were adopted and the plan for the presidio fell through. The La Junta region continued to attract because of its possibilities for missionary work but also because of its agricultural productivity. Menchero reported in 1740 that “for agriculture it is the best and most fertile land among all that have been discovered, for in one year they gather two crops of rich wheat that they call ‘seven ears’, the seven ears growing on one stalk which comes from one seed, without branches. Maize, broad beans, vetch, pumpkins and all crops that are grown in cold countries are produced in great abundance.”¹²⁴

The missionaries returned to La Junta and remained until another rebellion occurred in 1725, in which two youths who assisted two of the missionaries were killed. The lives of the missionaries were spared however by the timely arrival of soldiers who conducted them to Chihuahua.

¹²³ A brief and very inadequate summary of the work of the missionaries among the Indians at La Junta between 1672 and 1674 is in the declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744, *infra*, pp. 407-411. See also the letter of Fray Nicolás López, written in 1686, concerning work among the Jumanos at La Junta, beginning in 1683, *infra*, pp. 360-363.

¹²⁴ Declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744, *infra*, pp. 409-410.

Finally the missionaries went to La Junta for the third time—being importuned to do so by some La Junta Indians who visited them at Chihuahua. Authorization for this entry was given by the *visitador general*, Fray Miguel de Menchero, soon after he began a general inspection of the northern missions in 1731. Nine years later Menchero reported that one missionary at La Junta had “founded three pueblos of Indians whom he instructed and reduced.”¹²⁵ According to the Franciscan provincial, writing in 1750, “in succeeding years [that is, subsequent to 1725] at times two religious have resided in these missions, at others three, and sometimes four . . .” but “even when the six or fewer religious were there no stipend whatever was given from the *real hacienda*.”¹²⁶ Four years later, in 1754, Father Trigo reported that there were six missions at La Junta. The Indians there were described as “good” and, because they had “no lands to sow,” they were said to “make frequent visits to Chihuahua, where they acquire by labor what is necessary for their maintenance.” They were described as “very keen in looking for work, and not at all lazy.”¹²⁷

The question of locating a presidio at La Junta again received consideration about the middle of the century. On April 26, 1752, the viceroy, the Count of Revillagigedo issued “urgent decrees in regard to the construction of the presidio at the missions of La Junta de los Ríos, neglected for so many years.” Disobedience of these decrees by Governor Mateo Antonio de Mendoza of New Mexico and his captains “for their private interests,” resulted in “the rebellion and flight of the Indians” from the six La Junta missions. Later the rebellious Indians were pacified by three religious “at the cost of the most prodigious labors and dangers to their lives, suffered repeatedly for almost a year in three entrances.”¹²⁸ On January 15, 1760, the long-planned presidio was reported to be under construction at a distance of three leagues from the mission of Guadalupe. At this the Indians were exasperated because, on account of the damage to their crops and livestock which they anticipated they would suffer at the hands of the captain and the presidial soldiers, they had been promised that the presidio would not be located at a distance less than ten leagues from the settlement. Not only did the natives become bellicose, thereby endangering the presidio, but they deserted in such numbers that in one mission alone, that of San Juan, “but half of the Indians remained.”

¹²⁵ The above summary of the progress of the La Junta missions, except as indicated in notes 123 and 124, is based upon the declaration of Fray Miguel Menchero, Santa Bárbara, May 10, 1744, *infra*, pp. 407-411, and the report of the Franciscan provincial to the viceroy, Mexico, March 1750, *infra*, pp. 456-459.

¹²⁶ Report of the Franciscan provincial to the viceroy, Mexico, March 1750, *infra*, p. 456.

¹²⁷ Letter of Fray Manuel de San Juan Nepomuceno y Trigo, Ystacalco, July 23, 1754, *infra*, p. 468.

¹²⁸ Report of Fray Pedro Serrano, 1761, *infra*, p. 498.

Father Serrano, in reporting upon the state of the six La Junta missions in 1761, described them as being in "a state of discredit, ruin, and decadence." He blamed this situation upon the desire of the Indians "to be free to confederate with the heathen nations and attack the kingdom" and upon "the tyrannies with which the governors, captains, *alcaldes*, and lieutenants oppress them." With reference to the total desertions of Indians from the six missions he asked: "How many of the 2,350 Indians that were in them can have remained, if at the mission of San Juan, which had 400, only half were left?"¹²⁹

6. *The Church-State crisis of the middle eighteenth century.* New Mexico was spared during the eighteenth century any such conflict between the civil and ecclesiastical authorities as had rocked that province during the first two and one-half quarters of the seventeenth century. About the middle of the eighteenth century, however, imminent danger of a renewal of the old Church-State conflict developed. The chief figures among the New Mexican ecclesiastics in this crisis were Fray Carlos Delgado—for many years resident missionary at the pueblo of San Agustín de Isleta—and Fray Andrés Varo, former custodian of the province. Opposing them were the governors and their lieutenants and the *alcaldes mayores* of the province. In connection with this crisis heinous offenses were charged against the civil officials by the religious; in turn the religious were charged with equally serious misconduct by the civil officials.

As a true representative of Saint Francis, Delgado probably was without a peer in New Mexico in this century. He was imbued with a truly pious, penitent, humble and evangelical spirit. Conscious of his many sins and suffering great hardships, it was his hope to placate Divine wrath "by means of conversions" among the many heathen Indians surrounding the settled ones already reduced to mission life. His zeal for missionary work among the heathen is modestly revealed in his own simple way in two letters which he wrote to the father commissary, Fray Pedro Navarrete, on June 18, 1744, in which he told something of his hardships and triumphs in his most recent endeavors.¹³⁰

Delgado's first efforts as an evangel to the heathen seem to have been in 1742 when he and a companion initiated the first successful missionary work among the Moquis since the Pueblo rebellion of 1680.¹³¹ Two years later he and another associate effected the first conversions among the Navajos.¹³² Concerning this project he wrote:

God and our holy father, Saint Francis, have permitted—for few of us would consider ourselves worthy—that I, the least individual, shall have commenced these enterprises and won in them such good will among all the heathen,

¹²⁹ *Ibid.*, p. 500.

¹³⁰ Letters of Fray Carlos Delgado to the Father Commissary, Isleta, June 18, 1744, *infra*, pp. 391-395.

¹³¹ See pp. 30-31, *supra*.

¹³² See p. 27, *supra*.

and even among the Christians, that in every pueblo they desired to have me as their minister, but I cannot because I am one only.¹³³

Stimulated by his success among the heathen Moqui and Navajo groups Delgado now dreamed of undertaking missionary work in El Gran Teguayo, far to the northeast of New Mexico.¹³⁴ Full of enthusiasm for his work he wrote to his superior :

I am sixty-seven years of age, but, judging by the strength that I feel in myself I would say that I have seven and sixty spiritual arms to defend this holy *custodia* from so many enemies. They will be conquered, for envy and greed never prevail. . . . In Navajo they [the Indians] spoke to me of other wealth but I valued it as dust. . . . With the permission of the Lord I shall conquer them.¹³⁵

By the middle of the eighteenth century the energy of Father Delgado seems to have been diverted from evangelical work among the heathen to that as champion of the religious against the alleged "grave extortions" which the missionaries of New Mexico were "suffering, at the hands of the governors of that kingdom." In a report drawn up in 1750 Father Delgado asserted that "of the eleven governors and many *alcaldes mayores*" that he had known during his forty years service as missionary at Isleta, "most of them have hated, and do hate to the death, and insult and persecute the missionary religious . . . without any other reason or fault than the opposition of the religious to the very serious injustices which the said governors and *alcaldes* inflict upon the helpless Indians. . . ." ¹³⁶

Shifting from generalities to the specific, Father Delgado cited three types of annoyances "with which the persons mentioned molest the Indians. . . ." First was the sending of agents at the time of the annual harvests to seize by force and purchase for mere "baubles" 800 to 1,000 *fanegas* of maize which the Indians were compelled to transport, without pay "to the place where the governor lives."¹³⁷ As a result the Indians were left without "anything to eat for the greater part of the year," and were forced to resort to gaming or to "serve on ranches" for their suste-

¹³³ Letter of Fray Carlos Delgado to the Father Commissary, Isleta, June 18, 1744, *infra*, p. 393.

¹³⁴ *Ibid.*, p. 393. Father Delgado seems to have been intrigued with Teguayo as a result of the romantic report concerning it which he heard while among the Navajos. This report, in which figure a city so large "that one cannot walk around it in eight days," and a former king "of much dignity and ostentation," is translated hereinafter. See the information on El Gran Teguayo given by Fray Carlos Delgado about 1745, *infra*, pp. 415-416.

¹³⁵ Letter of Fray Carlos Delgado to the Father Commissary, Isleta, June 18, 1744, *infra*, pp. 394-395.

¹³⁶ Report of Fray Carlos Delgado to Father Ximeno in 1750, *infra*, p. 426.

¹³⁷ A similar charge by Fray Andrés Varo which details the alleged oppressions of the Indians by the governors is included in the report of Fray Pedro Serrano, of the year 1761, *infra*, pp. 483-487. Writing ten years after Varo's statement, Father Lezaún (in his account of lamentable happenings in New Mexico, *infra*, pp. 470-474) told in detail of the Indians being required to haul their products to the governor at Santa Fé and of other outrageous demands, in the form of tribute and personal service, which the governors made of the Indians.

nance. Secondly, the Indians were compelled "arbitrarily and by force" and for a mere pittance to do manual or domestic work for the civil authorities. The third and "most grievous and pernicious" oppression was the "wicked dissimulation of the governors in regard to the acts of the *alcaldes mayores*" who were alleged to have been instructed by the governors "to make the Indians work without pity." Consequently the Indians were obliged to "weave as many as 400 blankets, or as many woolen shirts," to plant, cultivate, and harvest corn and wheat, for which their "only recompense" was "a handful of tobacco, which is divided among eighteen or twenty." Also the poor Indians were compelled to deliver to the *alcaldes* deer skins, lard, grain, and chickens. Failure to comply with the demands of the civilians brought "cruel and inhuman" punishments—imprisonment, floggings or confinement in the stocks. Sadder still was the common practice of the officials of forcibly violating the wives and daughters of the Indian workers. Abuse of the Indians did not stop with the civil officials, but, said Delgado, "even the judges who enter to conduct the *residencias* of the *alcaldes* and governors . . . inflict upon the Indians as much injury and hardship as may conduce to the advancement of their own interests and the success of their ambitious desires." For these reasons, Delgado claimed, the Indians, "losing patience and possessed by fear . . . turn their backs to our holy mother, the church, abandon their pueblos and missions, and flee to the heathen, there to worship the devil. . . ." ¹³⁸ Obviously, such evil conduct reacted most unfavorably upon efforts to convert the heathen tribes.

In the face of this situation, Delgado said, the religious, who should have opposed "these grave injuries and their pernicious consequences" often did not do so for two reasons. First, they never accomplished anything by their opposition, but, on the contrary, were "insulted, disrespected, and held to be disturbers of the peace; second, because the governors and *alcaldes* impute and charge them with crimes that they have never committed,¹³⁹ which they proceed to prove with false witnesses whom they have suborned before the father custodians, and compel the latter to proceed against the religious, whom they calumniate." Thus the custodians, while aware that "the denunciations are born of hatred," were impelled to transfer the religious "from one mission to another" in order to prevent the governor, in the exercise of excess power, from expelling them from the province. In seeking relief from this situation Father Delgado incorporated with his petition ¹⁴⁰ a copy of a viceregal decree of May 18, 1709, which ordered the governors of New Mexico, under

¹³⁸ Details of a widely extended rebellion in the El Paso region in 1752 that was caused by the cruel treatment and murder of an Indian laborer by a captain at the presidio of El Paso were given by Father Lezaún in his account of lamentable happenings in New Mexico, written in 1760, *infra*, pp. 477-478.

¹³⁹ This charge was reiterated by Father Lezaún in 1760. See his account of lamentable happenings in New Mexico, *infra*, p. 475.

¹⁴⁰ Report of Fray Carlos Delgado to Father Ximeno in 1750, *infra*, pp. 425-429.

penalty of a fine of two thousand pesos, "to restrain the *alcaldes mayores* and forbid them to execute and commit . . . extortions and outrages on the Indians."¹⁴¹

The governor of New Mexico at the time that the Church-State crisis of the middle eighteenth century developed was Don Tomás Vélez Cachupín, whose term began in 1748¹⁴² and ended in 1754.¹⁴³ Already "the fire of persecution was burning inextinguishably against the religious" of New Mexico when Cachupín's ire against them was increased by two reports which were presented by Fray Andrés Varo, "a very aged and venerable religious, who after having been twice custodian" of New Mexico, had gone to Mexico City to attend "the next provincial chapter meeting." The first of these reports related to the New Mexico establishments; the second concerned the missions of La Junta de los Ríos and "the supreme necessity that a presidio should be established for them." Doubtless in view of these reports the viceroy "sent Don Juan Antonio de Ornedal y Masa as *visitador* to the presidios." Ornedal "joined with the governor [Cachupín] and his allies" with the result, according to claims of the religious, that "hell conspired with all its fury to exterminate the religious from the *custodia*." A report by Ornedal, which was characterized by the Franciscan provincial in 1761 as "a very cruel and slanderous" one "concerning the holy habit and Order of the *custodia* and the ministry of the missions" was sent to the viceroy. This report of the presidial *visitador* is not available but the charges in it were listed and refuted at length by the Franciscan provincial in March 1750.¹⁴⁴

By way of technical defense the provincial charged that Ornedal was incompetent to pass judgment on the New Mexico missions and was "a mere voluntary informant." Therefore his charges were extra-legal since such information as Ornedal was able to secure "must come through inquiry, and such inquiry appertains solely to the examining judge." Furthermore, his report, it was charged, was inspired by the loud and constant complaints of the Indians of New Mexico, but concerning these the informant dealt only in generalities, without mentioning "any particular one of these constant complaints, nor their subject or purport." Finally, it was charged that the Ornedal report contained "little of truth, disinterestedness or legality" and was motivated "by the hatred, anger, or vengeance of those who took this opportunity for fabricating and publishing" false information.

The charges which Ornedal made against the religious of New Mexico included the following: The religious almost totally neglected the Indians, even failing to say mass for them for months on a stretch. The mission-

¹⁴¹ Decree of the viceroy, Mexico, May 18, 1709, *infra*, pp. 429-431.

¹⁴² Report of Fray Pedro Serrano, of the year 1761, *infra*, p. 480.

¹⁴³ Bloom ("The Governors of New Mexico," *loc. cit.*, p. 155) lists Cachupín as governor of New Mexico from 1749 to 1754.

¹⁴⁴ Report of Fray Pedro Serrano, of the year 1761, *infra*, pp. 480-481.

aries, in violation of the law, had failed to learn the Indian languages and to teach the Indians the Spanish language; indeed, no minister since the conquest of the province had applied himself to writing a vocabulary of the many and diverse Indian tongues. As a result even the sacrament of penitence had to be administered to the Indians by an interpreter. The missionaries forcibly took grain and sheep from the Indians who were also compelled to weave for them wool and cotton without pay. The religious, because of their poor and irregular pay, were tempted or obliged to engage publicly in trade "among themselves and the Indians, in such goods as the country affords." They also arbitrarily took from the Indians the "buffalo skins that they obtain for sheltering themselves, and the buckskins that they sell and give away among each other." When the Indians complained of this to the civil authorities they were threatened with whippings and other punishments.

In addition to his charges against the religious, Ornedal made certain recommendations for the reorganization of the New Mexico missions. The revenues collected by the missionaries at Santa Fé, totaling 2,000 pesos, and those at El Paso, totalling 2,500 pesos, amounting as they did in each place to "more than enough surplus for the support of one or more religious," were sufficient, Ornedal said, to justify the secularization of those missions. The number of missionaries in New Mexico was excessive and should be reduced "in order to save for the *real hacienda* the stipends with which it assists them." Because of the proximity of the four El Paso missions to each other—the missions of the Real de San Lorenzo, San Antonio de Senecú, La Isleta, and El Socorro being only one league distant the one from the other—Ornedal proposed that the four religious there be supplanted by "a secular ecclesiastic . . . as curate, who, with two assistants could administer the four missions."

Ornedal also recommended retrenchments at La Junta. Four ministers there who, he thought but did not affirm (not having visited La Junta), were being paid for by his Majesty, were not needed because of the nearness of the seven missions to each other; hence he recommended that two missionaries there "would be sufficient." Finally, Ornedal informed the viceroy that "the seven ornaments that his Majesty assigned for the seven missions of La Junta de los Ríos," were, for some unknown reason, in the possession of a syndic who resided in Chihuahua.¹⁴⁵

The charges against the religious and the recommendations of Ornedal created a furor among the religious. They were first refuted in a lengthy and vituperative report of Fray Pedro Serrano, the Franciscan provincial, in March 1750.¹⁴⁶ The viceroy, interested in the Ornedal report, now called upon the religious of New Mexico for a formal rejoinder "to each

¹⁴⁵ Report of the Franciscan provincial to the viceroy, Mexico, March 1750, *infra*, pp. 438-459.

¹⁴⁶ *Ibid.*

of the points and articles of the voluntary informant," Ornedal. Thereupon the father custodian transmitted to Mexico about the middle of 1751 "a very bulky collection of documents, each and every one of which was more than sufficient to refute the points" in Ornedal's report. Among these documents, which, the religious claimed, revealed "an unbridled tempest of dangers" that had swept over the missionaries of New Mexico was a report by Fray Andrés Varo—a lengthy one—concerning which a later provincial in 1761 said: "There never has been made to the superior government . . . nor to this holy province, any report comparable to that of the reverend father, in which he describes fully and in detail everything that your Excellency may wish to know about all that is happening in that unhappy kingdom and distressed *custodia*."¹⁴⁷ This document is not available in its entirety but it was quoted from generously in the provincial's lengthy report of 1761, hereinafter translated.¹⁴⁸ In Varo's report of 1751 the author reveals himself as a true successor of Father Delgado as a defier of the civil authorities in general and of Governor Cachupín and the presidial inspector Ornedal in particular.

A final report on the status of the strained relations of the church and civil authorities was made by the provincial, Fray Pedro Serrano, in 1761. This resolved itself into a résumé of the mentioned Varo report and letters from New Mexico missionaries—including one from Father Delgado—that were written between January 14, 1758, and May 2, 1760¹⁴⁹—Serrano even refraining from using his "own words, except in a very few instances."

These documents but reiterate in vituperative detail the mentioned alleged offenses of the governors and their persecution of the religious—particularly Governor Cachupín, Governor Francisco Antonio Marín del Valle (1754-1760), and Governor Don Mateo Antonio de Mendoza (1760)—and the alleged sacrifices and heroic efforts of numerous active missionaries in New Mexico.¹⁵⁰ For example, the religious in 1750 were alleged to have found themselves "with the doors closed . . . for proving, vindicating, and justifying their persecuted innocence" as the result of Governor Cachupín having decreed "a fine of two hundred pesos, deprivation of office and employment, with other arbitrary penalties,"¹⁵¹ for any official who might issue "any certificate or copy"—doubtless a legal deposition—to any person whatever. This repressive decree was confirmed by Cachupín's successor.¹⁵²

¹⁴⁷ Report of Fray Pedro Serrano, of the year 1761, *infra*, pp. 479-481.

¹⁴⁸ *Ibid.*, pp. 482-496.

¹⁴⁹ *Ibid.*, p. 497.

¹⁵⁰ *Ibid.*, pp. 497-499.

¹⁵¹ Charges that the governors virtually sold the office of *alcalde mayor* to the highest bidders and subsequently coerced these officials—often to bear false witness against the missionaries—were made by Father Lezaún in 1760 in his account of lamentable happenings in New Mexico, *infra*, pp. 473-474.

¹⁵² Report of Fray Pedro Serrano, of the year 1761, *infra*, p. 497.

If these allegations be true, it is not surprising that Serrano copied Father Varo's earlier complaint as follows :

Much less could I reduce to figures the outrages, insults, abuses, and affronts that we experience ; the oppressions, disregard and disrespect that we suffer in our persons, holy habit, character, and ministries ; the calumnies, dishonors, *autos*, and indictments which are instituted against the religious by the governors, who conspire and call false witnesses to their tribunals of iniquity, without respect for the sacred canons, bulls, or excommunications ; this, if it appear to be an exaggeration, may be proved by the judicial records of the government of the kingdom. . . . Where but here do they throw themselves into the temples, either into the courtyards on horseback, or into the church up to the very altar with their spurs on, and by a secret order signed by a governor drag criminals from the temple, sometimes with blows causing bloodshed, while it availed the offender nothing to embrace either the altar or a holy image of Christ? What Catholic governor . . . will be found in New Spain or anywhere except in New Mexico who, when the whole kingdom was surrounded by enemies of the faith and overwhelmed by the cruelty of heathen and apostate Indians, will leave the soldiers and presidio without powder, selling all of it in Chihuahua? Of what governor in any other kingdom can it be said that in place of providing the presidios and missions with engines, mortars, and bombards, or at least with pieces of artillery or stone-mortars (which the Indians hold in great horror), he would order that the artillery that was at the mission of Galisteo should be broken up or taken apart? . . . I could not finish . . . without being even more diffuse. . . . All that I have said up to here I regard as but the merest sketch of what is really happening and what I have experienced in this miserable kingdom.¹⁵³

7. *Miscellaneous facts relating to New Mexico in the eighteenth century.* Two interesting references to the well-known expedition to New Mexico that was made by French traders from upper Louisiana in 1739¹⁵⁴ are found in the documents hereinafter translated. On June 30, 1743, Governor Domingo de Mendoza y Delgado asserted that his "most pressing task" had been to inquire into "the abominable conduct of a Frenchman, one of those who came . . . in 1739." This Frenchman was charged with having plotted since October 1742, "to incite the Indians of this kingdom to revolt." Failing in this, he was arrested and tried by order of the governor and was sentenced to death "by having his heart taken out through the back." But approximately twenty-one hours before the sentence was to be executed the governor received a letter from Father Fray José Yrigoyen, who claimed that the criminal was "involved in cases to be tried by the Holy Tribunal." The governor at once suspended the sentence but not without going on record that he would have been within his rights "to go on with the execution of a criminal of this class."¹⁵⁵

¹⁵³ Statement of Fray Andrés Varo as quoted in the report of Fray Pedro Serrano, of the year 1761, *infra*, pp. 493-494.

¹⁵⁴ See p. 391, note 233.

¹⁵⁵ Letter of Governor Gaspar Domingo de Mendoza y Delgado, Santa Fé, June 30, 1743, *infra*, pp. 390-391.

The next year, 1744, in a fascinating report on the Sierra Azul—probably the Painted Desert of to-day—so-called because of its vari-colored veins, which were reputed to be the richest in gold “in all New Spain,” Father Miguel Menchero reported that “when the French entered this kingdom four years ago ¹⁵⁶ the first thing they did was to ask for the Sierra Azul.” ¹⁵⁷

The second from the last document that is translated in this volume contains information of considerable human interest. In it a missionary described in detail the “form of government” at two of the New Mexico missions—San Diego de los Jémez and San Agustín de la Isleta—which, doubtless, may be taken as typical of those of the entire province at about the year 1773. Father Joaquín de Jesús Ruiz, the author of this document and a former minister at each of the mentioned missions, detailed the routine followed in connection with the teaching of the catechism and the service of the mass. In doing so he took the opportunity to enumerate the alleged extortions of the *alcaldes mayores* and their lieutenants on the Indians—mentioning, in this connection, specific pueblos and persons. The religious concluded his account with recommendations, based upon his experience in the missions of Sierra Gorda and Michoacán before coming to New Mexico, for peaceably setting the Indians “on the right path to any extent in [Christian] instruction.” First of all he thought that “each pueblo” should “have its head,” who should be “satisfactory to the missionary father and confirmed by the governor.” The qualifications of such a person and his duties and obligations, not only with respect to the religious activity of the missionary but also with respect to the agricultural work at and the defense of the missions, were outlined. ¹⁵⁸

By the beginning of the last quarter of the eighteenth century El Paso was not only the metropolis on the northern frontier but it was also a recognized agricultural and ranching center of relatively great productivity. These facts are revealed in the final document translated in this volume. It is entitled: “A description of the most notable characteristics of the settlement of El Paso del Norte, as given by one of its citizens, after seven years’ residence there.” ¹⁵⁹

In this report the geographical location of the settlement is given and the improvements at and the potentialities of each of the “five Indian missions” there are detailed. The distance between the two most widely separated missions—those of “Nuestra Señora de Guadalupe y Señor San José del Paso (the capital)” and the mission of Socorro—“must be ten leagues,” the informant said. Continuing, he said: “The extent of the settlement of El Paso is about one short league, at the widest half a league

¹⁵⁶ See p. 411, note 252.

¹⁵⁷ Declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744, *infra*, p. 411.

¹⁵⁸ “The form of government used at the missions . . . by Father Fray Joaquín de Jesús Ruiz . . .,” *infra*, pp. 505-506.

¹⁵⁹ See *infra*, pp. 506-509.

more. The number of its inhabitants reached 9,363 adult persons and a little over 500 children, including all classes of people, Indians and whites."

As a kind of introduction to the later and present importance of El Paso as a great commercial center on an international frontier, the following quotation from the cited description of El Paso in 1773 is given:

In the last group [the white group] are included the few Spaniards that are there and about eight or nine Europeans, married and settled there, excepting some who are in the habit of coming in to buy wine and brandy in exchange for goods or their equivalent, following a clever and peculiar scheme of using four kinds of money, although there is only one that has a fixed value. The plan is as follows:

The peso is, and is generally understood to be, valued on the basis of silver, according to its sound, the specie used being *reales* or silver. The value of a peso according to the agreement is six *reales* in silver. Pesos at the old prices are worth four *reales*, and pesos of the country are equivalent to two *reales* in silver. On this basis they make their trades, and by joining together they manage to carry them out.

IV. 2. DOCUMENTS RELATING PRIMARILY TO
NEW MEXICO IN THE SEVENTEENTH
AND EIGHTEENTH CENTURIES

DOCUMENTS RELATING TO NEW MEXICO, 1620-1639¹

Cedula of his Majesty. [Madrid, May 20, 1620]

The King. To the *cabildo justicia y regimiento* of Santa Fé in New Mexico: Having examined in my royal Council of the Indies the letter that you wrote me on October 3 of the past year of 1617, in regard to the state of that new settlement, and the work you have done and are doing in it, and the natives that have come to the knowledge of our holy faith, and the peril in which you say it is because of having only forty-eight soldiers and residents and of being surrounded by several Indian nations; and having seen your petition that Don Francisco de Leoz, my *oidor* of the audiencia of Mexico, shall be your judge in the lawsuits that may occur among you, I send to order the Marquis of Guadalcazar,² my viceroy of that New Spain, that, in conformity with orders that he has from me, he shall assist and favor you in all that appears to him to be necessary, and you will therefore apply to him and he will always take care to favor and protect you. Madrid, May 20, 1620. I THE KING. By order of the king, our lord. PEDRO DE LEDESMA.

Order of the Most Excellent Señor Marquis of Guadalcazar.
[Chapulteque, February 18, 1634]

Don Rodrigo Pacheco Osorio, Marquis of Cerralvo, of the *consejo de guerra* of the king, lieutenant of our lord, the king, our señor governor and captain-general of this New Spain, and president of the audiencia and royal chancery that resides there, etc.: Inasmuch as Francisco de Salazar, *procurador general* of the provinces of New Mexico, has reported to me that it has come to his knowledge that Don Francisco de la Mora Zeballos,³ their governor, using arbitrary power as such, in contravention of the royal ordinances and disregarding the fact that the said provinces are a new country and that he is destroying it, has taken from them the number of eight hundred cows and four hundred mares, which he has sent and which are now on the way to the valley of Santa Bárbara in Nueva Viscaya, together with a large number of sheep, for the purpose of selling them.

¹ A. G. M., Provincias Internas, XXXV. According to the copy of this *expediente* in the Bolton Collection, it is further described as "Number 22 of the Papers of the Superior Government." Also, see Bolton, *Guide to Materials for the History of the United States in the Principal Archives of Mexico* (Washington, 1913), p. 35, note 5, under Vol. 35. Hereinafter the Bolton copy of this *expediente* will be referred to as B.

Parts of this *expediente* were omitted from the Bandelier copy; translations of these parts have been added from the copy of the same *expediente* in the Bolton Collection.

² Bolton (*Guide*, p. 469) lists Diego Fernández de Córdova, Marqués de Guadalcázar, as viceroy of New Spain from 1612 to 1621.

³ For a brief statement concerning the administration of Francisco de la Mora Ceballos, who was governor of New Mexico from 1632 to 1635, see Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 284-286.

In order that the said cattle shall be returned to the said provinces—for otherwise the inhabitants will abandon them, having nothing to live on, which was done in fact by four who left to escape the tyranny of the said governor, who took their property forcibly from them, as appeared in a letter delivered by the *procurador* of the religious of the said provinces—he asked that I should order that two of the soldiers who are going there at this time shall detain the said cattle wherever they may find them, until the arrival of Captain Francisco Martínez de Baesa,⁴ who goes with the commission as governor of the said provinces, and that they shall return them there. Having seen this report and the opinion given concerning it by the licentiate, Don Yñigo de Arguello Carvajal, *oidor* of this royal audiencia and my *auditor de la guerra*, to whom I referred it, and in view of the resulting [recommendations]—for if [the charges] be true as reported, the entire value of the property that the said governor Don Francisco de la Mora is sending to be sold belongs to his Majesty's *cámara*, in accordance with the laws of the kingdom—by these presents I order you, Agustín de Zabala, knight of the Order of Santiago, and my deputy captain-general of Nueva Galicia, to proceed in this case and ascertain the truth. If the charges prove to be true, you will place an attachment upon all the proceeds of the said property which may come to the account of the said governor Don Francisco de la Mora. You will send it along with the [records of] judicial action taken to the office of the undersigned secretary of *gobernación*, so that I may examine it and proper measures may be taken. Since the property has been bought, there is now no party to whom it ought to be returned nor any one who can legitimately ask it, and if there should be it will be done in the *residencia* especially as his Majesty has rights founded on the said laws. Done at Chapultepeque, on February 18, 1634. The Marquis [of GUADALCAZAR]. By order of his Excellency. LUIS DE TOBAR GODINES.

[*Verification*]

It agrees with his Majesty's royal cedula which, signed by his royal hand and countersigned by Pedro de Ledesma, and signed with the rubrics of the *oidores* of the royal Council of the Indies, it appears is in the archive of this *cabildo*; and also with the order of the most excellent viceroy, the Marquis of Guadalcázar, signed by his hand and countersigned by Luis de Tobar Godines, which is also in this archive. It is a true and accurate [copy], the witnesses to the copying and correcting being Nicolás Durán, Alonso Sisneros, and I, who attest to and sign it. DIEGO DEL RÍO DE LOSA [rubric], clerk of the *cabildo*.

These *autos* of the *cabildo* are in three folios. [Rubric.]

Excommunication by the Commissary. Santa Clara, August 6, 1638

Inasmuch as since June 14 of this present year I have made requisition upon all those who were owing *maravedis* [*marabedies de las bulas*] to pay

⁴ Martínez de Baeza was governor of New Mexico from November 1634 to Apr. 18, 1637. For a summary of his administration, see Scholes, *op. cit.*, pp. 286-290.

them, giving them until the end of the said month, and the said time having passed, together with the whole of the month of July, without their being paid, through the lack of receivers to make the collection, and it being property of his Majesty, I declare that all those who have not paid shall be held as publicly excommunicated, absolution being reserved to me alone, in case there should be any bad Christian who may [desire] to interpret for himself whether or not he is a participant. Done at Santa Clara on August 6 of the present year of 1638. Fray JUAN DE GÓNGORA. By order of our father commissary. Fray ANTONIO PÉREZ, secretary.

[*Verification. Santa Fé, February 19, 1639*]

It agrees with the original that is posted on the door of the church of this town, from which this copy was taken. It is true and accurate, corrected and verified, the witness being Captain Pedro Lusero de Godoy, Miguel de Bertis, and Juan de Mondragón. Done at Santa Fé, in New Mexico, on February 19, 1639; and by order of the *cabildo justicia y regimiento* of this villa I drew up the present copy, to which I attest. FRANCISCO DE ANAIA ALMAZÁN (rubric), public clerk.

[*Auto. Santa Fé, January 28, 1639*]

In the villa of Santa Fé in New Mexico, on the 28th day of the month of January, 1639, in the *cabildo justicia y regimiento* of this said villa, the following petition was read:

Petition of the alcalde ordinario, Don Roque de Cassaus, to the cabildo of Santa Fé. [Santa Fé,] January 28, 1639

I, Captain Don Roque de Cassaus, *alcalde ordinario* of this villa, declare that I have as a prisoner one Juan Márquez, for certain grave crimes that I have found out against him, and that Father Fray Juan de Góngora is attempting to defend and protect him, saying that he is subdelegate commissary of the Santa Cruzada⁵ for these provinces and that the said delinquent is treasurer-general in them; and he is doing this as he did in the past year of 1637, by means of excommunications and interdicts. Although the said criminal was delivered to him, Fray Juan de Góngora not only failed to send him back to Mexico from whence he came and for which purpose he was delivered to him, but he let him go free, as he has

⁵ "The *Crusada* . . . as a source of revenue was a bull published every two years, carrying absolution from past offenses and containing certain privileges with respect to the future." Bernard Moses, *Spain's Declining Power in South America, 1730-1806* (Berkeley, 1919), p. 424. Fisher (*Viceregal Administration in the Spanish American Colonies*, Berkeley, 1926, pp. 184-185) says that the tribunal of the *crusada* controlled the revenue from the sale of bulls of *crusada*. Chapman (*Colonial Hispanic America: A History*, New York, 1933, pp. 159-160) says: "The *bula de crusada* (bull of crusade) was originally a papal bull granting indulgences to those who went on the crusades to Jerusalem. By papal *breve*, or brief, of 1578, it was extended to Spanish America, and indulgences continued to be sold there until the end of the Spanish régime. . . ." An excellent brief description of the organization of the tribunal of the Santa Cruzada is in Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 16-17.

been up to the present. As he again broke the law I have taken him prisoner and have taken evidence of his crime, and sent it to the most excellent viceroy and the tribunal of the Santa Cruzada. Merely saying that the accused is treasurer-general, without having presented titles or papers in proof of it, although he has been requisitioned, and simply under the title of commissary subdelegate, he [Fray Góngora] has imposed censures and interdicts without making *autos* or requisitions, by which it appears that he is disturbing this land with a powerful hand.

I have received information that the said Father Fray Juan de Góngora entered these provinces and proclaimed that he was commissary with absolute power to introduce and publish the bull of the Santa Cruzada, without its being presented to the *cabildo* or being received or accepted by it, in order not to give any opportunity for a reply to be made which might be in favor of this land, a step that he ought to have taken, as the first commissary who has been here. Thus he is assuming all the authority that he wishes, without your lordship's or the other judges' knowing what commission he holds or how much it includes; nor is it even known whether he has the said commission, except by what he says and does, your lordship being unable in the name of the community to state and request what is necessary from the most excellent señor viceroy and the tribunal of the Santa Cruzada.

His behavior shows evident malice, for it amounts to nothing less than to upset and scandalize the community, and take away the jurisdiction from his Majesty's justices by disqualifying them with excommunications and interdicts. The latter he uses high-handedly, protecting and defending delinquents, his hangers-on, and trampling on the citizens and taking away their property, as he has just done with Francisco de Olivera, from whom, by threatening him with the Santa Cruzada, they collected for a number of cattle and refused to give him any receipt, although he asked for it in a petition to the said Father Fray Juan de Góngora. Olivera says that on the contrary the said father declares that the petition was voided because the cattle were delivered in my presence. Moreover, the said father and his treasurer have concealed the papers of the farm that the so-called treasurer bought for Don Francisco de la Mora because it is under attachment for his Majesty, whom they serve in this manner. So that if it is true that the aforesaid have the commissions, as they claim, it is not to serve his Majesty with them but for their own good, and to have a weapon with which to oppose the justices and interfere in the royal jurisdiction, and afflict and destroy the citizens and make themselves powerful. I beg and pray that your lordship will order that I be given a deposition as to whether the said Father Fray Juan de Góngora presented the said bulls in this *cabildo* and whether they were admitted, in order to put it with the record of the said Juan Márquez. If this is not the case, I request that a conference be held to decide what would be most conducive to the service of his Majesty and the good of these provinces; and that an account be given to the most excellent viceroy of what may be decided to be best. This I propose as minister of his Majesty and one of this *cabildo*. And I ask, etc. Don ROQUE DE CASSAUS.

Auto. [1639]

This having been considered by the said *cabildo*, it declared that notification should be given to Father Fray Juan de Góngora to exhibit the titles and commission that he might have from the tribunal of the Santa Cruzada of Mexico, the presentation that he made in this *cabildo*, the memorandum that the holy bull was admitted, and the authority by which his reverence published it, so that, after consideration, the most suitable measures might be taken and account given to his Excellency of the legal rights in this case, and of this continuous war against the heathen. It was thus ordered and signed. FRANCISCO DE MADRID; DON DIEGO DE GUADALAJARA; MATHÍAS ROMERO; AGUSTÍN DE YNOJOS; ANTONIO DE ZALAS.

Before me, DIEGO DEL RÍO DE LOZA, clerk of the *cabildo*.

[*Auto del Cabildo. Santa Fé, January 28, 1639*]

1639. The *cabildo justicia y regimiento* of this villa of Santa Fé, capital of the provinces of New Mexico, on the 28th day of the month of January, 1639, declared that inasmuch as it appears that the *procurador general* of this villa brought from the City of Mexico, among various papers and despatches, the mandate of the other party, issued by the apostolic and royal tribunal of the Santa Cruzada of the City of Mexico, to the effect that his Majesty's justices shall not permit the debts that are owing in any way to the ministers and officials of the Santa Cruzada to be presented or claimed before the said secular judges, in order to prevent the excesses and troubles that have followed and do follow from the opposite course, the *cabildo* commanded that the said decree should be proclaimed publicly in the *plaza mayor* of this villa, so that it might be known to all; and that father Fray Juan de Góngora, who says he is subdelegate of the Santa Cruzada, and the ministers that he may have, should be notified of it. It was signed by Don Roque de Cassaus, Francisco de Madrid, Don Diego de Guadalajara, Mathías Romero, Agustín de Ynojós, and Antonio de Salas.

Before me, DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*.

[*Attestation of Diego del Río de Losa. Santa Fé, January 28, 1639*]

I testify that the mandate of the other party was published by means of the public crier in the *plaza mayor* of this villa on the above said day, the witnesses being Captain Juan Griego, Captain Pedro Lusero de Godoi, *Alférez* Olivera, and many others. DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*.

[*Attestation of Diego del Río de Losa. Santa Fé, January 29, 1639*]

And I, the present clerk of the *cabildo*, read and gave notice of this mandate of the other party to the said Don Fray Juan de Góngora, who replied that the order given him by the royal and apostolic tribunal of the Santa Cruzada of the City of Mexico was based upon a false report made by Captain Gaspar Peres, *procurador* of this villa, who met his Majesty's troops in the valley of Santa Bárbara, [escorting] the said treasurer who

was coming on this errand. As the señor commissary-general had already received the false report, he sent orders, in regard to that provision, that it was to be kept in mind that the treasurer could collect on his own authority what was owing from the bulls, but that any money that was owing to him personally could only be collected by his [the commissary-general's] order. Seeing no remedy for this, he [Fray Góngora] had sent all the papers to Mexico by the father *procurador*, Fray Antonio de Arteaga, so that further orders might be sent from there. This he gave as his reply, in the presence of the *regidores* Agustín de Ynojos and Antonio de Salas, Tomás de Ortega being a witness to it; and I attest to it. In the villa of Santa Fé, January 29, 1639. DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*.⁶

Notification. [Santa Fé, January 29, 1639]

In Santa Fé, on the 29th of January, 1639, I, the present secretary, read and gave notice of the *auto* of the other party to the said Father Fray Juan de Góngora, who replied that the order given to him by the royal and apostolic tribunal of the Santa Cruzada of the City of Mexico was the result of a false report made by Captain Gaspar Peres, *procurador* of this town, who met his Majesty's troops in the valley of Santa Bárbara, [escorting] the said treasurer who was coming on this errand. As the señor commissary-general had already received the false report, he sent orders in regard to that provision, that it was to be kept in mind that the treasurer could collect on his own authority what was owing from the bulls, but that any money that was owing to him personally he would have to collect by his [the commissary-general's] order. Seeing no remedy for this, he [Fray Góngora] had sent all the papers to Mexico by the father *procurador*, Fray Antonio de Arteaga, so that further orders might come from there. In the matter of exhibiting my papers as commissary of the Santa Cruzada before the honorable *cabildo* of this villa, there is no obligation to do so except before the first sermon only, to the governor who is actually governing, as I did; and my title, as well as that of the treasurer, clerk, and *alguacil mayor*, were duly received and signed by Señor Don Francisco de la Mora,⁷ who was governor at that time, in accordance with the instructions of the supreme tribunal of the Santa Cruzada, which sits at the court of his Majesty. If there had existed a mandate that I should present my credentials before the honorable *cabildo* I would not have failed to do it, for Captain Don Roque de Cassaus, who came as treasurer-general, was at that time *alcalde*, and Captain Pedro Lusero de Godoy, who was secretary, was then *regidor*, and there was no one to oppose the reception of the bulls; it is only now, after the third sermon [that the question is raised].

This is what he replied, and he signed it, the witnesses being Tomás de Ortega, the *regidor* Antonio de Salas, and the *regidor* Agustín de Ynojos. Fray JUAN DE GÓNGORA.

Before me, DIEGO DEL RÍO DE LOZA, clerk of the *cabildo*.

⁶ F. R. B., Mexico, Aug. 28, 1912.

⁷ See note 3, *supra*.

Auto. [Santa Fé, January 31, 1639]

The *cabildo justicia y regimiento* of this villa of Santa Fé, capital of these provinces, on the 31st⁸ day of the month of January, 1639, having considered the reply of Father Fray Juan de Góngora, ordered that Captain Don Roque de Cassaus, *alcalde ordinario*, and the others who were members of the *cabildo* in the past year of 1633, should declare whether the said father was the first commissary of the Santa Cruzada that there has been in these provinces, and the first who brought to them the bulls of the Santa Cruzada, and whether he presented himself with them in this *cabildo*, and whether the said *cabildo* accepted the said bulls or refused them, and whatever else that they might know in regard to the matter; and that the present clerk should testify as to whether there is record in the archives of their having been accepted, in order to give account to his Excellency of what ought to be done for the good of this land; and that the said father should be notified of this *auto* and that he should exhibit the order that he has not to present himself before this *cabildo*. It was signed by Francisco Madrid, Don Diego de Guadalajara, Mathías Romero, Agustín de Ynojós, [and] Antonio de Zalas.

Before me, DIEGO DEL RÍO DE LOZA, clerk of the *cabildo*.

[*Auto.* Santa Fé, February 1, 1639]

In the villa of Santa Fé, on the first day of the month of February, 1639, I, the present clerk, read and gave notice of the *auto* of the other party to the said Father Fray Juan de Góngora, who said that he had already answered that he was not under obligation to present himself to the honorable *cabildo*, and has nothing further to say on this point; and that hitherto no question has been raised, but on the contrary great feasts were held at the first and second preachings, nor did any one oppose him at the third preaching. And he signed it, the witnesses being Pedro de Leyva and Francisco Balensia. Fray JUAN DE GÓNGORA (rubric).

Before me, DIEGO DEL RÍO DE LOZA (rubric), clerk of the *cabildo*.

Declaration, dated February 1, 1639

In the villa of Santa Fé, on the first day of the month of February, 1639, the *cabildo justicia y regimiento* of this said villa, sitting in the town hall, received oath in legal form from Captain Don Roque de Cassaus, *alcalde ordinario* of this said villa, and [directed] that being questioned he should state and declare who was the first commissary that introduced the bulls into these provinces, and who was their treasurer, and if he knows whether they [the bulls] were admitted by this *cabildo* or rejected, and whether he has seen the titles and commission of the said first commissary and whether in them the said tribunal of the Santa Cruzada orders that he [the commissary] should not present himself with the said bulls to this *cabildo*, but only to the governor. He declared that he knows that the first commissary that there has been in these

⁸ The Bolton copy reads "en veynte y un dias," etc.

provinces was Father Fray Juan de Góngora, who holds the same office today; and that the said *alcalde ordinario* was the first treasurer that there has been; and that in the commission of the said Father Juan de Góngora it does not state that he shall or shall not present himself before governor or *cabildo*; and that in the past year of 1633 the said Father Fray Juan de Góngora preached the first sermon of the holy bull, being at that time custodian of these provinces, and upon his own authority as such he made the said publication without presenting it in the *cabildo* so that the said bulls might be accepted.

On the other hand, the said Captain Don Roque de Cassaus, as *alcalde ordinario*, knows and saw that in the said year in which they were published, the said *cabildo*, having learned that the said Fray Juan de Góngora had introduced the said bulls and wished to publish them without giving account to it, held a junta for the purpose of preventing the said proclamation, for certain reasons, the principal one being that this land was in a state of war and this villa was a military post and army base, where they were constantly with arms in hand in the presence of the heathen enemy, guarding and defending this new church, which is the purpose for which the holy bull was granted, and therefore they were enjoying its benefits without its proclamation. In order to make the said protest, the declarant left the hall of the said *cabildo*, for he was at that time treasurer of the Santa Cruzada, and he saw immediately afterwards that the *justicia y regimiento* went in a body to speak to the said Father Fray Juan de Góngora and ask him not to make the said proclamation until they should give account of the reasons for their opposition, but that the said father replied that notwithstanding their opposition he would publish them, as he did. It appears that matters have remained in this state, and the said *alcalde ordinario* is convinced that the cause of it is that there is no person learned in the law in this country, and that the people who are here know nothing except the use of arms against the enemy, and that the offices of *alcaldes* and *regidores* are annual, for which reason they are generally ignorant of pending business or of that finished in the preceding year. This is what he has heard and seen, under the oath by which it was affirmed and ratified. He stated that he is more than forty years of age, and he signed and attested it. DON ROQUE DE CASSAUS.

Before me, DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*.⁹

*Attestation [of Diego del Río de Losa. Santa Fé, February 3, 1639]*¹⁰

I, Diego del Río de Losa, clerk of the *cabildo* of this villa, certify and attest that the *cabildo justicia y regimiento* of this villa ordered me to deliver a summons to Father Fray Juan de Góngora requiring him to delay for one day at least his departure for the pueblo of Tezuque, as information had been received that he was about to leave for that place, and

⁹ Ad. F. B., Mexico, July 27, 1912.

¹⁰ Of this and the next five documents only extracts were made by Dr. Bandelier of the first, second, third, and fifth. For this reason copies of the complete documents in question have been made from the Bolton transcript of this *expediente*.

as the delay was necessary for the good of this community and the rights of this *cabildo*. When I did so, the said Father Fray Juan de Góngora replied to me, asking that I permit him to go to his home and pueblo of Tezuque, for he was dying in this villa, and that he was not a commissary but one of the least of the friars in the Order of Saint Francis. By order of the said *cabildo justicia y regimiento*, I issued the present writing on the third day of the month of February, 1639.

DIEGO DEL RÍO DE LOSA (rubric). Clerk of the *cabildo*.

Deposition. [Santa Fé, February 5, 1639]

In the villa of Santa Fé, on the fifth day of the month of February, 1639, for the purpose of the said verification, Captain Pedro Lusero de Godoi, present *juez de mesta*,¹¹ made oath before the said *cabildo* according to the law, and after the *auto* of the said *cabildo* had been read to him, he declared that in the past year of 1633 Father Fray Juan de Góngora, being at that time custodian of these provinces, made the first publication and preachment of the bulls of the Cruzada and he was the first to introduce them into this land. This witness was at the time *regidor* and *procurador general* of this *cabildo*, and he therefore knows that without giving any opportunity to this said *cabildo* to accept or refuse the said introduction of the bulls and their publication, he published them on his own authority alone, as will appear more clearly in the archive to which reference is made. This the said witness knows has occasioned much censure in these provinces, all the people in the land saying that if the holy bull was conceded and granted for the war against the heathen and the preservation of our holy Catholic faith, those who are taking part in the said war are receiving the benefits of the said bull without accepting it. All this is public knowledge in the land, which is a military base surrounded by heathen enemies, against whom we defend this new church at the expense of our blood, with arms in hand, extending and spreading our holy Catholic faith.

In particular, this witness heard a discussion at the pueblo and frontier of the Emes [Jémez] between some learned religious, such as Father Fray Juan de Vidania, who is now *guardián* of this villa, and the father lecturer, Fray Alonso Destremera, and Fray Gerónimo de la Llana, in which it was decided that this land was receiving the benefits of the bull without accepting it. The feasts that Father Fray Juan de Góngora says were celebrated at the publication were not proclaimed by the *cabildo* nor with its consent, but by the treasurer who was in office at that time. This is what he knows and is the truth under the oath that he has taken and it being read to him, he affirmed it. He declared that he is thirty-four years of age, and he signed it. PEDRO LUSERO DE GODOY. (Rubric.)

Before me, DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*. (Rubric.)

¹¹ The "mesta or grazers' court in New Spain," was established to promote the raising of cattle. Fisher, *op. cit.*, p. III.

Deposition. [Santa Fé, February 5, 1639]

In the villa of Santa Fé, on the fifth day of the month of February of the said year, for the purpose of the said report, the *cabildo justicia y regimiento* received oath in legal form from Captain Sebastián Gonzales; and, having promised to speak the truth, after the *auto* of the said *cabildo* had been read to him, the witness declared that he was *regidor* of this villa in the past year of 1633, in which year Father Fray Juan de Góngora made the publication of the bulls of the Santa Cruzada, the first that were ever made in this land, and that the said father being custodian, brought and introduced them into it on his own authority, without presenting himself or presenting them to this *cabildo* or giving any opportunity for the said bulls to be accepted or rejected by this *cabildo* as head of these provinces, which his Majesty has here to attend to and do what is most important for his royal service and the good and advantage of this commonwealth. He has heard a great deal of grumbling about it, and all the residents, and even the religious, are aggrieved because the bulls were published in a land that was receiving their benefits without accepting them, the people being, as they are, all soldiers and serving without salary with arms in hand in the presence of the enemy, fighting with him in the field in the defense of this new church and in extending our holy Catholic faith, for which purpose the holy bull was granted, and for which reason his Majesty has granted so many privileges to those who serve him here, as, in particular, making them and their descendants noble *hidalgos*. The proceeds that will come from the said bulls are very small, and it is the opinion of the witness that they would amount to [no more than] two hundred pesos for us, and will give rise to more quarrels and disturbances to this community through the ministers of the Santa Cruzada, and to more disservices to his Majesty than the proceeds will amount to at any time. This is the truth and what he believes, under his oath, and it being read to him, he affirmed and ratified it. He said he was forty-two years old, a little more or less, and he signed it. He added that the feasts which Father Fray Juan de Góngora says were celebrated on the publication of the bulls were not held by the *cabildo* nor by their order nor with their aid, but that they were held by the treasurer who was then in office; this he knows for he was *regidor* at that time. SEBASTIÁN GONZALES.

Before me, DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*. (Rubric.)

Attestation [of Diego del Río de Losa. Santa Fé, February 10, 1639]

I certify and attest that after examining and looking through the entire archive of this *cabildo*, I have not found nor does there appear to be any *auto*, petition, or any other paper whatever which shows that the introduction of the bulls of the Santa Cruzada into these provinces took place formally or that the *cabildo justicia y regimiento* had admitted them, and so that it may appear on the record by order of the said *cabildo* I issued the present writing at Santa Fé on February 10, 1639. DIEGO DEL RÍO DE LOSA (rubric), clerk of the *cabildo*.

Auto. [Santa Fé, February 10, 1639]

The *cabildo justicia y regimiento* of this villa of Santa Fé, capital of the provinces of New Mexico, on the tenth day of the month of February, 1639, having examined these *autos*, declared that the place where the bulls of the Santa Cruzada ought to be presented is in this *cabildo*, as being the legitimate authority to accept or reject them in its own name and that of the commonwealth, and to state, according to its rights, what it might think best. This function does not belong to the governor, who deals solely with his government, and not with special affairs of the community, such as this. The occasion when the bulls might rightfully be presented before the governor would be if there were no *cabildo y regimiento*; and in case Father Fray Juan de Góngora did fulfill his duty in presenting himself before the governor, he ought not to have received him without giving notice in due form to this *cabildo*, which cannot consent to its rights being so prejudiced. The governor ought not to have received him thus on his own authority, for he is captain-general of this army base and in the continuous war that is being waged against the heathen enemy in defense of this new church, for which purpose the said bulls were granted, and on these frontiers the benefits of the holy bull are enjoyed without its being proclaimed, for all are serving at their own cost without salary. For these reasons let the said Father Fray Juan de Góngora be notified not to use the commission that he may hold until this *cabildo* gives account to the most excellent señor viceroy and the tribunal of the Santa Cruzada of Mexico, so that they may order what ought to be done. And let his reverence be informed of the above, so that if he wishes to make a statement or report concerning the aforesaid to his Excellency or the said tribunal or to prepare any other *autos* he may do so, provided that it is done with the knowledge of this *cabildo* and that it is given a copy of them, as this *cabildo* does with his reverence. It assures him that otherwise it will petition his Excellency and the said tribunal not to receive or act upon what he may send to them. It was so ordered and signed. FRANCISCO DE MADRID; DON DIEGO DE GUADALAJARA (rubric); MATHÍAS ROMERO (rubric); AGUSTÍN DE YNOJOS (rubric); FRANCISCO LÓPEZ PALOMINO (rubric); ANTONIO DE ZALAS (rubric).

Before me, DIEGO DEL RÍO DE LOSA (rubric), clerk of the *cabildo*.

Notification. [Tezuque, February 20, 1639]

In the pueblo of Tezuque, on the 20th day of the month of February, 1639, I, the clerk of the *cabildo*, read and gave notice of the *auto* of the other party to Father Fray Juan de Góngora, the person mentioned in the said *auto*. He said he understood it, to which I attest. DIEGO DEL RÍO DE LOSA (rubric), clerk of the *cabildo*.

Order of the Commissary of the Cruzada. [Mexico,] August 22, 1633

We, Doctor Don Lope Altamirano y Castilla de León, secretary of his Majesty, archdeacon of the holy cathedral church of the City of Mexico,

apostolic commissary, subdelegate general of the Santa Cruzada in all the kingdoms and provinces of this New Spain, make known to all and any judges and magistrates of his Majesty, ecclesiastical as well as secular, of the villa of Santa Fé in New Mexico and the rest of those provinces, and to all other persons who are concerned in what is here stated in any manner whatsoever, that Captain Gaspar Pérez, *procurador general* of that province, appeared before us in our apostolic and royal tribunal and in a petition that he presented declared that, for the sake of the legal rights and for the good of the said province, he was making a report to us of how the treasurer despatched by this tribunal to the said provinces of New Mexico for the expedition of the bulls of the Santa Cruzada and the collection of its proceeds, in contravention of what has been ordered by his Majesty, had bought mortgages [*escrituras*] and other securities against the inhabitants of those provinces, so that, under pretext of being treasurer and with the authority of his commission, he might collect the said debts for this tribunal, as a result of which the inhabitants were suffering great injury. In order to prevent the oppression of inferiors by such transfers of property to the rich, the law prohibited them, particularly as the purchases of those rights [were made] solely with the idea of molesting the poor. To abolish this abuse the petition requested and supplicated that we should take due precautions [to make sure] that the treasurer who had gone to the said provinces should collect only what pertained to the said bulls for this tribunal, and not make use of transfers and purchases of other papers and collect them by authority of his commission and in the name of this tribunal, imposing penalties to enforce their payment. Thereby the petitioner would receive mercy with justice, which he was soliciting.

The said petition and the *autos* and cédulas of his Majesty touching upon this matter having been considered by us, and we having conferred upon the measures to be adopted with the señor licentiate, Don Julio de Álvarez Serrano, member of his Majesty's Council, his senior *oidor* in the royal audiencia of this New Spain, and counsellor of this tribunal, we ordered to be issued and we did issue the present writing, by the contents of which, and by the apostolic and royal authority that we have and desire to exercise and do exercise in this case, and by virtue of the superintendence that has been conceded to us, we exhort and charge the said magistrate and ecclesiastical and secular judges of the said villa of Santa Fé and the other parts and places of the said provinces of New Mexico, and we order Adjutant Juan Gomes de Tres Palacios y Estrada, and *Alférez* Juan Márquez, the treasurers appointed by us for the expedition, administration, and collection of the holy bull of the Cruzada in the said provinces of New Mexico, for this first preaching of the holy concession, and [we order] any other persons in whose charge it may be, that they shall collect for this tribunal only what may belong to the said bulls, and shall not make use of any transfers and purchases that they have made or may make or other papers and securities against the inhabitants and people of these said provinces, proceeding from other trades and contracts, for they are concerned solely with collecting the alms proceeding from the said bulls,

which is the only purpose of his Majesty, who desires that his subjects shall not be vexed and molested.

Let the said treasurers observe and fulfill this [order], and let the said magistrates and justices not permit the contrary, protecting and defending the said citizens so that collections shall not be made from debtors, nor they be compelled to pay anything except what proceeds from the alms of the said bulls. Anything done in any other way shall be void and of no effect, for the said treasurers have the power to use their commission and the name of this tribunal solely to make the collection of the proceeds from the said alms, and not the said debts, purchases and transfers. Let this be fulfilled by the said magistrates and justices and the treasurers of the Santa Cruzada of the said provinces, under pain of major excommunication, *latae sententiae ipso facto incurrendo*, and a fine of one thousand ducats of Castile, to be applied to the expenses of the Armada de Barlovento¹² and of this tribunal. We direct that by any act contrary to these orders they be at once considered liable to punishment and sentenced. Wherefore we issued these presents, signed by our hand, sealed with the seal of our arms, and countersigned by the undersigned secretary in Mexico on the 22nd day of the month of August 1633. Don LOPE ALTAMIRANO. Don JUAN DE ÁLVAREZ SERRANO. By order of the señor commissary-general. PEDRO ORTIZ DE ARI.

[*Auto of Diego del Río de Losa. Santa Fé, February 1, 1639*]¹³

In the villa of Santa Fé, on the first day of the month of February, 1639, I, the present clerk, gave notice of the mandate to the *alférez* treasurer, who replied that he would obey it, and he signed it, the witnesses being Adjutant Juan López de Ocanto and Alonso Gutieres. JUAN MARQUES. Before me, DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*.

[*Auto of the Cabildo. Santa Fé, February 1, 1639*]

In the villa of Santa Fé, on the first day of the month of February, 1639, the *cabildo justicia y regimiento*, having considered the reply of Father Fray Juan de Góngora, declared that he should be notified to exhibit the order or mandate that he says he is keeping and executing, or give an outline of its contents. The report made by the *procurador general* to the tribunal of the Santa Cruzada of Mexico was a true and accurate account of what has occurred and is now occurring, and it appears that either his reverence or Don Francisco de la Mora, through his interest in his property and the collection of it, reported falsely, or his reverence has no such order and is acting deceitfully in saying that since there was no remedy for the collections he sent his titles to Mexico. Indeed his reverence

¹² "The *armada de Barlovento* (fleet of the Windward Islands) had to do with the coast guard fleet for protection against the buccaneers of the Caribbean." Chapman, *Colonial Hispanic America: A History*, p. 160.

¹³ This and the remaining documents in this *expediente* were not included in the Bandelier copy; they have been added from the copy of the same *expediente* in the Bolton collection.

has acted the judge with mandates and excommunications, such as there is at present on the door of the church, so general, without naming any individuals, that this community is astonished. In case he had sent his titles to Mexico he would not have failed to retain certified copies. It is thus evident that he is acting without orders or sufficient authority, and in order to prevent trouble, and to report to the most excellent señor viceroy and tribunal of the Santa Cruzada, let the said Father Fray Juan de Góngora be summoned to exhibit the order that he has from the said tribunal. It was signed by Don Roque de Cassaus, Francisco de Madrid, Don Diego de Guadalajara, Mathías Romero, Agustín de Ynojós, and Antonio de Salas. Before me, DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*.

[*Auto of Diego del Río de Losa. Santa Fé, February 1, 1639*]

In the villa of Santa Fé, capital of these provinces, on the first day of the month of February, 1639, I, the present clerk, read and gave notice of the *auto* of the other party to Father Fray Juan de Góngora. He said that to a petition of which he was notified by Captain Francisco de Anaya Almasán, public clerk, on behalf of Captain Don Roque de Cassaus, *alcalde ordinario*, in which he was asked to exhibit the papers and writings that he had from *Alférez* Juan Márquez, treasurer-general of the Santa Cruzada, he replied that he had sent the papers to Mexico, so that the matter might be remedied at the first opportunity. "And to the honorable *cabildo* I have replied that I am not under obligation to present my titles or credentials to it, nor have I said that I sent them to Mexico, and I make the same answer now." This is what he replied, and he signed it, the witnesses being Pedro de Leyba and Francisco de Valencia. Before me, DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*. Fray JUAN DE GÓNGORA.

[*Order of the Cabildo. Santa Fé, February 8, 1639*]

In the villa of Santa Fé, on the eighth day of the month of February, 1639, the *justicia y regimiento*, being assembled in the hall of the *cabildo* examined this reply and the others given in these *autos* by Father Fray Juan de Góngora, and ordered that he be notified to observe and carry out the mandate of the tribunal of the Santa Cruzada of Mexico, notification of which has been received, and that he exhibit the order which he says was sent to him by the señor commissary-general to the effect that, notwithstanding [the tribunal's mandate] Juan Marques may collect the money due him which did not proceed from the holy bull, so that the latter may be observed and carried out, or a report made to the most excellent viceroy and the said tribunal upon what measures should be taken. His reverence is requested further to reply in proper terms to the *autos*, without equivocating and contradicting himself in his responses as he has done in the case of other notifications that have been directed to him; otherwise account will be given to his Excellency of the deceit and trickery that are evident in all his acts, of the overbearing manner in which he conducts himself, and that the reports that his reverence may have given are false, having been made stealthily and secretly without giving copies, outside of

this town in the pueblo of Tesuque, where he lives. [The *cabildo* protests] that it will not recognize these documents unless his reverence makes memoranda of those that he has executed or may execute in the future, for it is a dangerous and false practice and contrary to the interests of the community, unless he makes and gives copies as is done by this *cabildo*. It was signed by Don Roque de Cassaus, Francisco de Madrid, Don Diego de Guadalajara, Mathías Romero, Agustín de Ynojos, [and] Francisco López Palomino. Before me, DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*.

[Notification. Tesuque, February 20, 1639]

In the pueblo of Tesuque, on the 20th day of the month of February, 1639, I, the clerk of the *cabildo*, read and gave notice of the *auto* of the other party to Father Fray Juan de Góngora, the person mentioned in the said *auto*, and he said that he understood it, to which I attest. DIEGO DEL RÍO DE LOSA, clerk of the *cabildo*.

[Verification]

It agrees with the original *autos* that are in the archive of this *cabildo*, and is a true and accurate copy, the eyewitnesses to its copying and correcting being Captain Juan de Mondragón and Captain Francisco de Anaya Almazán, public clerk, and I, to which I attest. DIEGO DEL RÍO DE LOSA (rubric), clerk of the *cabildo*.

Auto of the governor of New Mexico, Don Luis de Rozas, in regard to the affairs of the religious of the villa of Santa Fé, [Santa Fé,] February 14, 1639

In the villa of Santa Fé in New Mexico, on the 14th day of the month of February, 1639, the señor captain, Don Luis de Rozas, of his Majesty's Council of War in the states of Flanders, and governor, chief justice, and captain-general of these said provinces for our lord, the king, declared: that having seen to-day the reverend father *guardián* of this villa, Fray Juan de Vidania, his lordship asked him to tell what order he had received from the father custodian, Fray Juan de Salas, inasmuch as some citizens of the town had made complaint to his lordship, telling him they had heard that the said father custodian had sent an order to the said father *guardián* to deny confession to them. His lordship then said to him in the presence of Captain Francisco de Madrid, *alcalde ordinario*, Sargento Mayor Francisco Gomes, Captain Pedro Lucero de Godoy, Diego de Moraga, and others, "Well, father, if I go to confession tomorrow, as I wish to do, shall I be refused the sacraments?" To this the said father *guardián* replied, "Sir, if my prelate orders me not to hear the confession, as it is true that he has ordered me, as a son of obedience I shall have to obey, but to those who come to confess to me I shall give a paper in which I shall say that I refuse the confession to them by order of my superior." When his lordship went a few days later to confess himself to Father Fray Pedro Sanbrano, the father did not wish to do it, excusing himself

courteously, and finally saying that he did not desire that his prelate should become angry with him, and that some harm would come to him for confessing his lordship, and therefore asked to be excused. So that in a matter so important in spiritual as well as in temporal affairs—because of the evident danger to souls, and the resulting scandals and great confusion in a commonwealth and land so new as this—consideration might be given as to what ought to be done to avert such a danger, hitherto unheard of in a Christian land in his Majesty's domains, the governor ordered that the *cabildo justicia y regimiento* of this villa should meet to-day, the said day, at ten o'clock, when in his lordship's presence this *auto* and statement should be read and a conference held upon it to decide what is best to do. Because the clerk of the *cabildo* is absent he ordered me, the present public clerk, to make a memorandum of this *auto* and statement in the said *cabildo*, and to draw up the *autos* that are necessary in regard to them. He thus ordered and signed. LUIS DE ROZAS. Before me, FRANCISCO DE ANAIA ALMAZÁN, public clerk.

*Opinion of the cabildo of the villa of Santa Fé in New Mexico in regard to affairs of the religious. [Santa Fé,] February 14, 1639*¹⁴

The *auto* and proposal of the señor governor and captain-general, Don Luis de Rozas,¹⁵ having been considered in the *cabildo* which the *justicia y regimiento* held to-day, which conferred lengthily upon it, and some persons of the said *cabildo* having testified that they already knew what the said proposal contained, they found that it was a common custom of the religious to deprive this commonwealth during Lent of confession and the holy sacraments, especially the governors, alcaldes, and other ministers and officials of justice as well as of war. This, besides being very ostentatious and in contempt of the royal jurisdiction, is a great scandal for the commonwealth, and much more so for the natives so newly converted to our holy Catholic faith. It is done with no other reason than their pleasure, so that by keeping the land oppressed and afflicted they can control it with such a powerful and superior hand that they desire that the said governors, *cabildo* and the rest of the ministers shall go to seek the custodian fifteen, twenty, or thirty leagues from this villa in the Indian pueblos, where they remain for their private interests, leaving this villa, where they ought to live, as it is the capital of these provinces.

The governor and *cabildo* report the aforesaid solely because they cannot avoid their obligation of giving an account to the most excellent señor viceroy of the state of the province, and of how and in what cases the religious are interfering in the royal jurisdiction. They declare that this is written against ecclesiastics who knowingly wish to obscure the truth and prevent it from coming to the knowledge of your Excellency, evading it

¹⁴ The original is dated January 14, 1639, but this was apparently an error on the part of the scribe.

¹⁵ A detailed account of the turbulent administration of Luis de Rosas, who was governor of New Mexico from 1637 to 1641, is presented for the first time in Scholes. "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 297-325.

by denying the holy sacraments. Of this the *cabildo* has many examples, for the religious have used this method for many years, particularly in the time of the administration of Don Juan de Eulate,¹⁶ when they left the church and convent of this villa without any religious to administer them. One minister would be sent to say mass when it suited them, not oftener than every fifteen days; and they would have taken away the bells, ornaments and chalices, if they had not been prevented by the *cabildo*, with the help of the said governor. When holy week came they made whoever went to confess sign a paper in their favor against the honor of the government and its justices and superior [officers], and whoever would not sign it they would not absolve. They did the same in the time of Governor Francisco Martínez de Baeza, when it was ordered that they should not confess any one except those who carried a rubric which was the sign that the said penitents, justices as well as *regidores*, had already given to the said custodian who was then in office the signed cedula that he asked of them. For this reason some remained without confessing, as did the said governor, although he made many efforts to do so, until he approved another cedula or document which the said religious sent to him already made out and written to suit their purposes.

In order to avoid such difficulties and scandals and not to weary the señores viceroys with quarrels, reports, and investigations, the entire *cabildo* went at this time to the pueblo of Santo Domingo, eight leagues from this villa, where the said custodian was, to ask him to prevent such a great scandal and the difficulties that would follow. They requested that if his fathers did not agree as to the merits of our case, because it appeared to them that they were in the right, that it should be referred to the superiors to be adjusted and that they should not resort to violence and unjust measures, as were those of his reverence in refusing the holy sacraments, for the governor, *cabildo*, and the commonwealth did not avail themselves of such. The custodian was unwilling to consent or agree to this, but on the contrary said that he did not recognize the *cabildo*, nor would he entertain them in the convent, so the said *cabildo* was compelled to take quarters in an Indian *estufa*—a most indecent thing, as may be believed. Previously the *cabildo* had written the said custodian a *carta misiva*, in the interests of the peace and quiet of this commonwealth, which a *regidor* carried to him. This he refused to receive, but returned it unceremoniously to the *cabildo*, as appears from the letter and the certification given by the *regidor*. Whereupon a certification was requested of the custodian, but he merely said that it was unknown to him who the *cabildo* might be, as the reply shows.

Thus by means of refusing the holy sacraments, they attempt to prevent us from sending a despatch to his Excellency, while the fathers send theirs stealthily and in secret. This they did a few days ago when Father Antonio de Arteaga, in order to send certain letters and declarations, made use of

¹⁶ Scholes ("Civil Government and Society in New Mexico in the Seventeenth Century," *loc. cit.*, p. 74) says that Juan de Eulate was governor of New Mexico from Dec. 22, 1618, to Dec. 21, 1625. Eulate's was the longest term of any of the twenty-three governors of New Mexico between 1609 and 1680.

some fugitive delinquents whom he protects, remarking after the despatch was sent that the governor had not smelled it out.

* By these methods and others similar to them the said religious committed the grave and atrocious crime of seizing the governor and captain-general, Don Pedro de Peralta,¹⁷ and holding him prisoner for a year in the convent of Sandía. Fearing that the citizens wished to rescue him and restore him to his office, the prelate, who was then Fray Isidro Hordoñes, and who was the one that arrested him in the name of the Holy Inquisition, without being a commissary of it, placed himself in the pulpit of the church of this villa, with an image of Christ in his hands, to move the feelings of the people with exhortations, saying that he expected for that act of imprisonment to be rewarded with a mitre. His Excellency must have had information of this, as the royal audiencia had, through the strife that burst out over it. The said governor and captain-general, having escaped from his prison in the rigor of winter, went on foot and half naked, covered with a buffalo robe like an Indian, to a farm which is two leagues from the said pueblo. Learning where he was, his jailer, Father Fray Estevan de Perea, went with a large number of Indians, armed with bows and arrows, and surrounded the said farm. Although they did not find the governor on that occasion they seized him again in this villa, whence they took him back in irons, seated on a horse like a woman, to the pueblo of Sandía, his prison, which is fourteen leagues away. He was taken in charge by Father Fray Andrés Juarez—I should say Father Fray Luis—and thrown into the convent of this villa, where they re-arrested him by order of the Inquisition.

These actions have been very common, not only by the authority and instigation of the superior tribunals [of the Inquisition] of Mexico, and by the hand of the church with its weapons of excommunications and interdicts and the refusal to the community of the sacraments and confessions, but also by force, for the said religious have held juntas, disregarding the justices and the repute of the royal jurisdiction. In order that these outrages and violent acts may not reach the point of ruining this land, and in order that some other and greater difficulty may not arise from the wish of this *cabildo* to provide a remedy, and since it does not appear advisable to write to or to make any demands upon the said custodian,—as the only effect is to increase the quarrel with his retaliations, for he not only does not grant the remedy that is asked, but makes irrelevant replies, with discourteous and insulting expressions, as appears by the said examples and many others—and in order to put an end to these disturbances, it was resolved and determined by the said *cabildo* to give an account to the most excellent señor viceroy, so that, taking pity upon this poor community because of the oppression from which it is suffering, he may order that it be remedied.

¹⁷ Peralta was governor of New Mexico from 1610 to 1614. During his administration the "first major incident in the long history of troubled relations between Church and State in New Mexico occurred. . . ." Details of his administration are made known for the first time in Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 27-47.

The *cabildo* remits some examples of how confessions are refused and of the very discourteous replies that have been sent, besides those which his Excellency must already have seen from the past despatches; and so that it may be made clearer how things are at present, this *cabildo* asks that Father Fray Juan de Vidania, *guardián* of this convent, shall exhibit a copy of the order that he has from his prelate not to hear confessions, or state what is in it. We beg him as a religious of such exemplary life not to obscure the truth for private interests, for it is important to the service of his Majesty and the well being and improvement of this land. The entire *cabildo* is concerned in this, and since it has no means or property with which to give account of the aforesaid and the rest that is necessary for the service of God, the king, and this commonwealth, it asks and requests that the señor governor and captain-general will order that assistance to be given to send this despatch, stating what his lordship, as one who has the matter before him, may perceive to be most necessary for remedying [existing abuses.]

The *cabildo* asks that permission be given to such persons as may be needed to go to the City of Mexico, providing them with the supplies and expense money that are essential, 'for they are all as poor as this said *cabildo* and the entire country itself, wherefore it has suffered such affliction and vexation since it was discovered and settled. Done at the villa of Santa Fé, New Mexico, January 14, 1639. Don ROQUE DE CASSAUS; FRANCISCO DE MADRID; Don DIEGO DE GUADALAJARA; MATHÍAS ROMERO; AGUSTÍN DE YNOJOS; FRANCISCO LÓPEZ PALOMINO; ANTONIO DE ZALAS.

Before me, FRANCISCO DE ANAIA ALMAZÁN, clerk.

[Mandate of Governor Don Luis de Rosas. Santa Fé, February 14, 1639]

Then, immediately that the señor governor and captain-general, Don Luis de Rosas, who was present at this *cabildo* and meeting, saw the determination and agreement in opinion of the said *cabildo*, he said that he agreed that a report should be made to the most excellent señor, so that once and for all a remedy might be applied to such disturbances and scandals. As to what the illustrious *cabildo* asks of his lordship—that a despatch should be prepared and a person sent to inform his Excellency by word of mouth—he would do it voluntarily and with all good will and earnestness, supplying the *maravedis*, and assistance that might be necessary. His lordship [added] that on this occasion he would rejoice if he had many millions to employ in the advancement of this commonwealth and the service of his Majesty, as his predecessors had done; and that in regard to the measure that they say it is desirable to take with the father *guardián* of this villa, as soon as the document is prepared, and the others that they may see fit to enclose with this proposal and the *autos*, together with their letter of information and all else that may concern this government, they should be delivered to his lordship, so that, as has already been said, he might transmit them with all speed to the most excellent señor viceroy of New Spain, in order that his Excellency may

take such measures as conduce to the service of both Majesties, and he thus ordered and signed. DON LUIS DE ROZAS.

Before me, FRANCISCO DE ANAIA ALMAZÁN, public clerk.

[*Auto of Francisco de Anaya Almazán. Santa Fé, February 14, 1639*]

The *cabildo justicia y regimiento* having immediately and at once asked Father Fray Juan de Vidania, *guardián* of the convent of this villa, that his reverence be pleased to exhibit a copy of the order that he had from his prelate to refuse confession to this community, he said that he did not have such an order in writing but by word of mouth from his prelate, commanding him not to absolve those who might be involved in the matters that the said father custodian had communicated to him, and if he were asked to explain further, he was to declare, he said, that this was a concern of his prelates. This was the answer that he gave, saying that without the permission of his prelate he could not make oath or sign. He appeared in the presence of the honorable *cabildo* and replied to the said summons before me, to which I attest. FRANCISCO DE ANAIA ALMAZÁN, public clerk.

Report to the viceroy by the cabildo of Santa Fé, New Mexico,
[*Santa Fé,*] February 21, 1639

Most Excellent Sir: In the past year of 1637 and in that of 1638, in the month of October, this *cabildo* gave account to your Excellency of the affairs of these provinces, transmitting some papers in which are set forth to your Excellency the justification and necessity with which this *cabildo* asks for the remedy made necessary by the excessive annoyance and disturbances against the royal jurisdiction from which this commonwealth and the governors and other magistrates are suffering, a thing not to be remedied with the power and forces of this land, for they are so few and so poor that no remedy is to be had except from the powerful hand of his Majesty and that of your Excellency in his royal name. Therefore matters go each day from bad to worse, so that we cannot live or remain in this land, if indeed the events themselves do not make an end of us and of this new church. This, Sir, is no exaggeration, but rather it is very incompletely stated in the reports, for it is not possible to express in writing what we are suffering or to give account of all that happens, although it is a consolation to know that your Excellency, with your Christian zeal, will learn of it from the despatches that have been sent to your Excellency and from that which is now drawn up by our captain-general and this *cabildo*.

The cause, Sir, is that the inhabitants are few, poor, and have little knowledge of business affairs or of anything except arms, while the religious are many and enjoy rich profits, acquired from the labor of the natives and the poverty of the Spaniards. These profits were neither asked for nor given as alms but [acquired] from private dealings and contracts, and since these [ecclesiastics] are all of the same religious Order they are all-powerful, which only serves to produce more dis-

turbances. They deprive us of the confession and [other] ministrations, and as they have the ecclesiastical jurisdiction, with commissions from the Holy Inquisition and the Cruzada, and administration of the holy sacraments, this land has no recourse to their superiors or to any other Order, nor clergy to whom to appeal. As a result they are so powerful that, from the quiet and comfort of their cells and *doctrinas* they so disturb and afflict the land that they keep it in a continual martyrdom. By the authority of a paper sent by the custodian to his religious, they withhold and deny the holy sacraments and refuse to receive confessions, as they do often in Lent and are now doing; and those who wish to make confession have to go in search of the custodian fifteen or twenty leagues from here among the Indians where he lives.

The commissary of the Holy Inquisition conducts himself in a similar manner, summoning the inhabitants to the place where he lives, which is thirty leagues away from this villa, in which he has never resided, although it is the capital. He says that it is for the business of the Holy Inquisition, although it is really to annoy us, and to show his power and authority. When edicts are read in this church he places at the side of the gospel stand, close to the main altar, a canopy so large that it covers and hides from view a part of the altar-piece. Seated under it are the said commissary, and two other commissaries who are here also—so that our poor citizens may not lack judges—as well as a secretary and other officials, such as the *alguacil mayor*, the notary, and the person who carries the standard of the faith; all wear habits given them by the said commissary, and the religious put on embroidered robes over those of their Order of Saint Francis. On the other side are seated the commissary of the Santa Cruzada, with an equal number of companions in office and the same officials—treasurer, *alguacil*, and notary. Meanwhile, on the doors of the church there are posted more excommunications than bulls.

Thus it may be said that the injury to souls is greater than the benefits and fruits of their labors, for the favors that his Holiness grants are undone by the commissary with excommunications of the participants, whose souls are perplexed, and their consciences disquieted, while the commonwealth is vexed and scandalized. The worst thing about it is that usually they take action against the governors and justices, creating still greater commotion and so showing their power. Thereby they terrorize private persons and poor people, and, since all the religious belong to the same Order, quarrels or contentions with one mean trouble with all. And the more unreasonable or prejudicial their claims may be, the more they oppose the magistrates; and the more freedom and power they assume, so much the more pressure they put on the rest [of the people], so as to blind them and prevent them from understanding their defects and iniquities.

Since there is no other Order or clergy here and since the tribunals and complete power are vested in these religious, they naturally avail themselves of all this, proclaiming excommunications and interdicts in every direction and withholding and denying the holy sacraments. It has even happened that the minister and curate of this villa has left the community

without the mass or any ministration; and for proof of it we humbly request that your Excellency will order an examination to be made of the despatches drawn up by General Francisco Martínez de Baeza and the *cabildo* of this villa, for the above fact appears in them. Some of the many excommunications that were proclaimed were transmitted with [the despatches], and the same is done with this, for our governor and captain-general, Don Luís de Rosas, and the other justices have been on the list at the church, and we are transmitting to your Excellency a copy of the general excommunication that is to-day fixed on the door of the church. As your Excellency will see, an *alguacil* could easily collect the two *tomines* that the alms of a bull amount to, without using such harshness and so disturbing the public mind. Besides which, it is known to us through some *autos* drawn up by the *alcalde ordinario* that he notified the religious to exhibit the memorandum, or bills, of what was owing for the holy bull so that it might be collected as property of his Majesty, and they replied that they would give account in Mexico, for they had given securities; but as the land is so poor, it is well known that nothing is owing.

May your Excellency also consider for the love of God, that the bulls are not of any interest to his Majesty, for they do not amount to a hundred pesos. They are simply [designed] to put arms in the hands of the religious to disturb and annoy this commonwealth and the natives newly converted to our holy faith. To prevent [the residents] from holding or establishing farms, under the excuse of protecting the maize-fields of the Indians they find sufficient reason for interfering with the Spanish inhabitants, even though the latter settle two or three leagues away from the Indian pueblos. This is not on account of their cattle and sheep, for they keep them in their pueblos in greater numbers than those of the Spanish inhabitants. When they [the religious] can do no more they even burn the farms, as they have done in some cases, as must have been made known to your Excellency by the despatch of General Francisco Martínez de Baeza. In order to disturb the country still more, the commissary of the Cruzada came to this villa to direct excommunications against the magistrate [*justicia*] at a time when our captain-general was calling the inhabitants to arms to go out to meet the enemy, who were coming against the frontiers, all of which created more confusion in the midst of that occasioned by the coming of the enemy, and compelled this *cabildo* to make the requisitions that your Excellency will see in despatch of our captain-general. At the same time some *autos* are transmitted which were drawn up with the said commissary for the purpose of requesting him to obey and execute an order of the Santa Cruzada in which it is commanded that no funds shall be collected by the Cruzada except those that proceed from the bull. He refused to execute the order.

Your Excellency will understand from all this how they are seizing power and what this land will suffer, for by such exactions on property bought in order to have collections made through the Cruzada (as was that of a friend of the commissary's, Don Francisco de la Mora, former governor here), communities richer than this in property and in people

would be impoverished and destroyed. Let your Excellency consider, for the love of God, that this is a very poor land, with few people, and that the measures were taken in passion and with great harshness; and furthermore, your Excellency, the bull of the Cruzada was granted for war against the heathen, and those now serving in the war enjoy the benefits of the bull without its being proclaimed. Since we are in this land, usually without any salary, with our arms in hand in the presence of the enemy, pouring out our blood in the defense of this new church and extending our holy Catholic faith in these provinces, what reason is there that the said bull should be published and we should have to accept it? We humbly beg and pray your Excellency to do us the favor to order that this be looked to, and to relieve us of this very heavy yoke, in view of the little or no profit that it will bring his Majesty, and the great good that will come from exercising his clemency and love for his vassals. In case the petition is denied, we request that you order that the bulls be transmitted to the governors or to this *cabildo*, for it is certainly within their authority since their value does not amount to more than one hundred pesos.

We request likewise that you order that the offices of custodian and commissary of the Holy Inquisition and Cruzada shall be filled by one religious only, who shall live and reside in this villa with some of his own ministers, and not, Sir, that there shall be for thirty families three tribunals with two or three commissaries in each one, so that there is no lack of opponents to the poor governors and other magistrates. Each tribunal has the same ministers and officials as those of that city [Mexico], who are exempt from the royal jurisdiction; hence it happens that those exempt are more numerous than those that are left, and from these latter are named, as is unavoidable, the officials of war and of this *cabildo*. Thereupon the governor is left without men with whom to defend this new church and the newly-converted natives from the heathen enemy, nor has he any forces with which to chastise delinquents or attend to his Majesty's service. As a consequence, in proportion as the powers of the governors are less, those of the religious are greater, even without those that they already have from the church, which they exercise so continually. Thus the royal jurisdiction is much humbled and violated and the few inhabitants who uphold their governor, besides suffering poverty greater than that of Haman, are afflicted and snubbed and addressed by the religious with ugly and insulting words, and even forbidden to fight in the field.

For all these reasons and because of the small number and poverty of the people, who will be outnumbered by so many full tribunals, we beg and pray that your Excellency, as their father and protector, will order that these poor vassals of his Majesty be assisted, by declaring this war [to make this villa] an army base, for we are in the presence of the enemy, with arms in hand, fighting continuously with the hostile heathen in defense of this new church and sustaining and guarding this kingdom for his Majesty. By so doing and by ordering that there shall be clergymen here to minister to this community, for it is a villa, we shall not be

subject to the passions of one Order alone, and as a priest and three legates are supported in this villa, as many more clergymen, or at least two, can be maintained as well, at no more expense to his Majesty, for the alms that are given to these religious may be given to the others. In this way disagreements will be avoided and the peace and quiet of the land will be assured and it will be possible to punish any delinquents that may be here. This cannot now be done because of the impotence of justice and the strong hand of the religious, who, with the power they now have, protect these wrongdoers to further their own ends, sending by them despatches with their proclamations and cédulas, their convents being refuges and asylums for such delinquents. The country is thus kept in an uproar, and they are even bringing it to the point of ruin, as has happened many times. This, Sir, your Excellency can remedy, the matter being brought to your attention, by sending clergymen, so that we shall not all of us suffer and be ruined.

Finally, most Excellent Sir, the religious are proceeding in such a free and unbridled way that they do not neglect any human means of persecuting us, which they do by making use of divine worship and the holy sacraments, as at present, when they have taken from us and denied and are now denying the confession to this entire community, including our captain-general and the other magistrates, as will be made known to your Excellency by the *autos* that have been drawn up concerning it and the statement of the father *guardián* of this town which is transmitted herewith. Thus, Sir, may your Excellency consider, for the love of God, in what state this commonwealth will be, without confession or ministration of the holy sacraments, when Lent and holy week pass without our receiving them. In what land inhabited by Christians and subjects of his Majesty has such a thing ever been done or known as is being done and has been done here? It will have been made known to your Excellency by the despatch of General Francisco Martínez de Baeza. The same thing happened in the time of General Don Juan de Eulate, and on other occasions when they did not wish to confess any one except those to whom they gave and who signed cédulas against the governors. Indeed, they did not confess Governor Francisco Martínez de Baeza himself until he had given them a cédula against himself in favor of the religious.

Since there is no recourse here, as your Excellency is more than four hundred leagues away, nor are there priests of any other Order, or clergymen, and since there were many uncomforted and afflicted souls—which is the thing most to be considered—some cédulas were given to the religious, for such is the power of force in these affairs. And as the land is to-day oppressed with this harshness, the people are crying out and clamoring to God and to your Excellency that you will, for the love of God, order that these grave outrages shall be remedied, and that you will be pleased to send at once the *procurador* with your Excellency's favor and succor, for we are now awaiting him, without confessing ourselves. Until his return our governor and this *cabildo* will guarantee, as they do, that no difficulty shall occur that cannot be mended without great trouble and expense to his Majesty. All are so desperate that among other things

they say: "How can it be permitted that the religious shall sell the sacraments for false reports and cedulas!" May your Excellency, for the love of God, be the father and protector of this poor and afflicted land, take pity upon its troubles, and order that the *procurador* shall be sent at once; and let the measures that your Excellency may order be gratis, for in no other way will the favor that your Excellency does us be effective, as this *cabildo* has no property of its own and we are extremely poor.

For this reason there never reached these provinces an order which your Excellency sent directing that his Majesty's carts should go under the governor's orders, for it was hidden and did not come, as has happened with other despatches. One of the great annoyances that the religious inflict upon the inhabitants is in preventing them from having farms on which to raise a few cattle to support themselves, saying that they damage the Indians' cornfields, although they are two or three leagues away from the pueblos. The reason for their opposition cannot be on account of their cattle and sheep, which they keep within the pueblos in large numbers, for each religious has from one to two thousand sheep, while few inhabitants have as many as five hundred [each] and most of them have no more than a hundred; and those who live in this town have neither farms nor cattle. Inasmuch as his Majesty supports the religious, it is right, your Excellency, that they shall not raise cattle, and that those that they now have shall be given and divided among the poor, for they [the cattle] are the progeny of those his Majesty placed in these provinces when the land was first settled. The same should be done with the horses that all of them have—as many as twenty, thirty, and forty apiece—for there are many soldiers so poor that through their inability to buy horses and arms they are incapable of serving his Majesty. In this way a great deal of trouble would be saved the Indians, for they are now occupied in guarding the cattle and horses and the very large fields of wheat and corn that they plant [for the religious] as well as the vegetable gardens and orchards, and the stables where they keep three or four saddle horses very daintily, for they are quite valuable and are taken to be sold in New Spain. In these and other similar services, such as porters, men and women cooks, wood-choppers, and millers, more than thirty or forty Indians are constantly employed, their pueblos consisting of from fifty to sixty houses. The worst thing, most excellent Sir, is that the religious hold most of the arms that there are in the country, for they have armor for the horses, leather jackets, swords, arquebuses, and pistols, and these arms are not for fighting the enemy, as they do not do that, but for the inhabitants and for holding juntas, as they have just been doing. We therefore pray that your Excellency will order that the arms shall be placed in these royal houses in the possession of the governors, so they may be given out in time of need, for there are none in the storehouse.

So that your Excellency may better understand the actions of the religious and what the Franciscan friars are doing, and how they are usurping his Majesty's property, let it be ordered that a report be made of how much iron for horse-shoeing was given to Father Fray Estevan de Perea for this town in the year 1628, for it is said that the quantity

was very large, yet such a small amount was received here that it was scarcely enough to go around. The said religious also asked the most excellent señor, the Marquis of Cerralvo, for a number of oxen to distribute in this country to enable the Indians to plough their land and plant their fields, and the contract for the oxen was adjudged to one Domingo Gonzales, his bondsman being Rodrigo Lorenzo, a silversmith living in this city on San Francisco Street. They received the money to the value of the said oxen and delivered it to the said father, but he did not bring any oxen into the country. Instead he employed the money in buying merchandise, which he sold publicly at the convent of Sandía; all this, if your Excellency desires, may be proved in that court. At the same time a number of mules were brought from the royal treasury for his Majesty's carts, and, having contracted or arranged with certain persons to buy them at fourteen pesos, they charged his Majesty forty pesos each for them, of which the officer [*cabo*] who came at that time was informed. The same thing occurs in the case of other things that are supplied for divine worship in the church of this town, for they say that an altar-piece, an organ, and other things have been given, but they are not there. A report of this is made to your Excellency as minister of his Majesty, so that your Excellency may be informed of it and may order as you see fit, and so that you may understand that the governors, this *cabildo*, and the commonwealth do not cause his Majesty such expense as do the religious who do him these disservices and usurp his royal property.

It is very important, most excellent Sir, for the correction of these disorders on the part of the religious, that your Excellency shall order that Father Fray Juan de Vidania, present *guardián* of this town, shall be sent as custodian, for he will reform these disorders, as he is a very devoted Franciscan religious, virtuous, and of exemplary life, who possesses no qualities except those that are to be desired in a good prelate. He is modest, courteous, and gets along well with the justices and citizens, and has always given conscientious ministration, preaching to us in the accepted manner, as ought to be done, by proclaiming only the holy gospel and good doctrine, without employing angry and discourteous words and references to their special business and quarrels, as other religious are in the habit of doing. As a result he has been snubbed and affronted on all occasions by the others and by his prelate, which is sufficient proof of his virtue. And, Sir, let not the office of custodian be bestowed upon one of three or four of those older religious who had a part in the imprisonment of the governor and captain-general, Don Pedro de Peralta, and who have maintained the quarrels and disturbances in this land, making of it a state matter, in consequence of which they have not only not been chastised, but have instead been rewarded with offices.

As a result of all this the governors desire to quit this office as soon as they enter it, for it is of no benefit to them but rather an expense, as the land is so poor and they cannot serve his Majesty as they would wish because of the small force of soldiers and arms (as has been said). There is nothing but quarrels and more quarrels with the religious, and the

governors have to resist vituperations and depositions, the religious thrusting themselves into their jurisdiction without the right to make use of it or to administer justice as it should be done; and so we have learned that the present governor has petitioned your Excellency to send him a successor. It is our duty to inform your Excellency that our captain-general has withstood these difficulites with great courage, and that he has also served his Majesty to greater advantage than have his predecessors, as must have been made known to your Excellency by the punitive expeditions and discoveries that he has made, overcoming obstacles and not permitting quarrels or envy to stop him, holding and keeping the citizens and soldiers in peace and justice. We therefore entreat your Excellency, as earnestly as we can, to be pleased to keep him in this office, for it will be a great consolation and relief in the troubles and afflictions from which we are suffering, and very important to his Majesty's service.

By a cedula of his Majesty, Don Francisco de Leoz, *oidor* of this royal audiencia, was appointed as judge of the cases and [legal] business of these provinces, and since he died no other has been appointed. We request and petition that your Excellency will do us the favor, under the terms of the copy of his Majesty's cedula, certified by the clerk of this *cabildo*, to appoint in place of the said Don Francisco de Leoz the *oidor* Don Francisco de Roxas, or some other, as may please your Excellency. And since the religious have threatened our governor and this *cabildo* with the commissary-general of the Santa Cruzada and the *fiscal* of that royal audiencia, saying that those officials have written them that they will dispossess them [the governor and *cabildo*] entirely, and since the religious have exhibited these letters in their convents and lodges to the citizens and soldiers, we beg your Excellency, if this be true, to order that the despatches in question be transmitted to the *oidor* whom your Excellency may be pleased to appoint for us as judge, or to the *asesor*, or the *auditor de la guerra*, for the religious are powerful here and we fear that they may have in that court such understandings and influence that by means of them, seeing us poor and alone, they will go on committing such outrages as the present ones.

His Majesty, and the señores viceroys in his royal name, have done us the favor to send us some assistance, not only because of the poverty of the land, but also because without some articles that are not to be had here it is impossible to support or to hold this country. Iron tools for cultivating and ploughing the land are especially needed, and in the instructions which the *procurador* carried the articles are specified, in particular iron for horse shoes, for without it it is not possible to make any punitive expedition, as the enemy lives in rough mountainous country and on stony mesas; but no iron has been sent since the year 1628. Consequently we are perishing, without a pound of iron or a plough. For the love of God, your Excellency, do us the favor and charity to order this assistance to be sent, and to concede the rest that is included in the instructions given to the *procurador*, and the other things requested in the past year of 1637. From so Christian a prince we may hope to receive favor; and

may our Lord grant you long life, as he is able to do, and as these kingdoms have need of. Santa Fé, New Mexico, February 21, 1639.

ROQUE DE CASSAUS; FRANCISCO DE MADRID; DON DIEGO DE GUADALAJARA; MATHÍAS ROMERO; AGUSTÍN DE YNOJOS; ANTONIO DE ZALAS; FRANCISCO LÓPEZ PALOMINO. By order of the honorable *cabildo*. DIEGO DEL RÍO DE LOZA, secretary of the *cabildo*.^{17a}

[Decree. Mexico, August 15, 1639]

Mexico, August 15, 1639. To the señor *fiscal* of his Majesty (rubric). It is answered in a separate *cuaderno*, the fifteenth in order. Mexico, September 25, 1639. Señor Licentiate Don Andrés Gómez de Mora (rubric).

[On the back of page 6:] New Mexico, February 21, 1639. The *cabildo* of the villa of Santa Fé gives account of the troubled state in which its citizens are, especially in regard to the administration of royal justice by the powerful hand of those religious, with the diversity of tribunals that they have. They state that it would be better to reduce them to a smaller number and place them all under one head who should reside in that villa; that Father Fray Juan de Vidania, who is serving at present as *guardián* and is a religious of extraordinary ability, would be suitable as custodian; and that it is important to send the messenger who brings these papers with orders to correct all this, and to retain the governor for his good service to his Majesty. They ask for supplies of iron and other things for their maintenance.

^{17a} F. R. B., Mexico, Aug. 22, 1912.

EXPEDIENTE RELATING TO THE PROVINCES OF SINALOA AND
NEW MEXICO, 1634-1641: EXTRACTS ¹⁸

[*Petition of Father Alonso de Rojas. The year 1638*]

Most Excellent Sir: I, Father Alonso de Rojas, *procurador general* of the Company of Jesus of this New Spain, declare that Bartolomé Adame, paymaster of the presidio of Sinaloa, is in debt to the college of the Company of Jesus of the villa of San Felipe of the said province to the amount of 5,708 pesos and seven *tomines* for goods which the college supplied to the soldiers of the said presidio for clothing and sustenance, as is declared in the assignments and three conveyances which the said soldiers made of their wages to the said college, which I present. The said paymaster gave drafts for this sum to Pedro López de Contreras, a resident of this city and the person who holds his power of attorney, to collect the allowance which that presidio has in this royal treasury; but he refuses to do it or to draw out what is owing to the said soldiers as salary that fell due at the end of August of this present year of 1638, saying that the said paymaster has turned over to him many other drafts and that there is not enough in the said treasury to pay them. As a result the said college is suffering great injury, through its having supplied the [presidio] for many days from what the religious need for the adornment of divine worship and for their own food and clothing. If it were not for the succor which the said college gives to the said soldiers of maize, meat, and other things they would not be able to live, for there is no other place in the said province from which they can obtain assistance for themselves and their families, as appears from the affidavits of Don Alonso de Contreras, knight of the Order of San Juan, and former captain of the said presidio, which I also present to your Excellency.

For all of which [reasons] I beg and pray that your Excellency will order the royal officials of this city to pay to the said college, from what is thus owing to the said soldiers up to the end of last August of this present year, the said 5,708 pesos and seven *tomines* to which the said drafts amount, and that they shall be given preference over others that the said paymaster may have issued, because the said college was asked for this amount for the support of the said soldiers and their households and families, as is declared in the said affidavit and assignments which they made, and in a deposition that the said paymaster made before Antonio Mayor y Corvera, military clerk of the said presidio, in which he says that if the sum owing to the said soldiers should not be sufficient to repay fully the said college it shall be made up from the pay that is owing to him. If your Excellency will thus order you will be doing a great service to God, for the religious of the said college are in great need and have to depend on this sum for many things which they require, not only for divine

¹⁸ A. G. I., 67-3-32. (Guadalajara 138.)

worship and the administration of the holy sacraments to the natives of that province, but also for their own food and clothing, not having any other source from which they can obtain it. Thereby the college will receive great benefit from your Excellency. ALONSO DE ROJAS.¹⁹

[*Order of the Marquis of Cadereyta. Mexico, March 5, 1639*]²⁰

To this his Excellency, the most excellent señor viceroy, the Marquis of Cadereyta, was pleased to reply by requesting and charging the father provincial of the Company of Jesus that when the fathers should be assembled in the province of Sinaloa they should take evidence in regard to the contents of the said petition, to the first copy of which, with the decree issued on October 7th of the past year of 1638, I refer. And so that it may be clear that it is by order of his Excellency, I issued the present writing in Mexico on the 5th of March, 1639. DIONISIO DE SUESCUN.

In order to make a decision in a business in the service of his Majesty, the Council has need of the Bull of *Real Patronazgo*.²¹

May your grace be pleased to send me the copy of it if you have it, or whatever information that there is concerning it, for your grace as one who has information of many other things, will not lack this. May God guard your grace with the increase that I desire. At home, September 5, 1639. Don GABRIEL DE OCANA Y ALARCÓN. With a rubric. Señor Don PEDRO ANTONIO DE LEÓN.

From the information that I have in the *despacho*, I reply here that the bull is in the first volume of printed cedulas,²² folio 33, and I do not know where it would be more authentic. May God keep your grace, as I desire. PEDRO ANTONIO DE LEÓN. With a rubric.

[*Royal Cedula. Madrid, June 10, 1634*]

Don Felipe, by the grace of God, king of Castile, of Aragon, of the two Sicilies, of Jerusalem, of Portugal, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Seville, of Sardinia, of Córdoba, of Corsica, of Murcia, of Jaen, of the Algarves, of Algeciras, of Gibraltar, of the Canary Islands, of the East Indies, of the Western Islands, of Terra Firma of the Ocean Sea; archduke of Austria; duke of Burgundy, of

¹⁹ F. R. B., Sevilla, Sept. 14, 1914.

²⁰ A. G. I., 67-3-32. (Guadalajara 138.)

²¹ Transcripts of the documents comprising the next twelve pages (through p. 88) were secured from the Ayer Collection of the Newberry Library. The originals are in the A. G. I., 67-3-32. (Guadalajara 138.)

For a brief statement concerning the royal patronage (*real patronato*; *patronazgo*—old form) see the "Introduction," I: 25-26. For a more detailed account see Fisher, *Viceregal Administration in the Spanish-American Colonies*, pp. 182-184.

²² Reference probably is to Puga, *Provisiones, Cédulas, Instrucciones de su Magestad* . . . See p. 112, note 35, *infra*. The bull in question apparently is the one the Latin text of which is in the 1878-1879 edition, I: 5-10. For further information concerning the early papal bulls that relate to the rights of the Spanish rulers in the New World see R. B. Merriman, *The Rise of the Spanish Empire in the Old World and in the New* (New York, 1918), II: 199-202.

Brabant, and of Milan; count of Hapsburg, of Flanders, of Tyrol, of Barcelona; lord of Viscaya, of Molina, etc.

To the Marquis of Cadereyta, kinsman, my viceroy, governor, and captain-general of New Spain, and president of its royal audiencia; and to the very reverend in Christ, the father archbishop of the holy cathedral church of the City of Mexico and its archbishopric; to the reverends in Christ, the father bishops of the holy cathedral churches of the city of Los Ángeles, Valladolid, province of Mechoacán, Antequera, valley of Oaxaca, Guadalajara, Guadiana, and Chiapa, and to the venerable chapters [of] vacant sees of the said holy churches; and to the prelates of the Orders of Saint Francis, Saint Dominic, Saint Augustine, Our Lady of Mercy, and the Company of Jesus:

Know that I have ordered a royal cedula to be issued in which I give the form that is to be maintained, observed, and kept in regard to the ministers of the *doctrinas* of the said Orders, the purport of which, with that of the proposals made in my royal Council of the Indies by the said Orders, the decisions upon them, and another of my royal cedulas, I am sending together to my said viceroy, so that he may cause them to be observed and carried out. [These documents include:]

The order given to provide for the execution [of the above].

The reply given by the *fiscal* of my said audiencia.

Opinion of the licentiate, Don Juan de Álvares Serrano, senior *oidor* of [the audiencia], and the *auto* issued in regard to the decision made on all these points by the *acuerdo* of my said audiencia. The content [of these documents] is as follows:

The King: Inasmuch as, on June 22, 1624, I issued a cedula setting forth the [regulations] for the *doctrinas* which are in charge of the religious of the mendicant Orders of the provinces of New Spain, which is of the following tenor:

The King: Inasmuch as, with regard to the form in which visits of inspection are to be made by the prelates to the religious of the mendicant Orders, who have in their charge the *doctrinas* of Indians in New Spain, and to whether it is advisable that they shall have the said *doctrinas*, there have been many differences, and divers cedulas have been issued, some of which have been put in execution, while others, because of difficulties in carrying them out, have not been executed,

And desiring to put a stop to these differences and to prescribe the form most suitable for the service of God and of myself, I ordered that all the papers bearing on this matter should be assembled and considered in a junta of ministers and other experienced and learned persons which was called for this purpose. They having conferred upon the matter and informed me of their opinion,

I have seen fit to resolve and order, as by the present writing I do order, that for the present and until I direct otherwise, the said *doctrinas* shall remain and continue under the religious as they have been up to this time, without any change being made in this respect; and that the appointment and removal of the religious curates whenever it may be necessary shall be done by my viceroy of those provinces in my name, observing in these

appointments and promotions the form, conditions, and circumstances with which it is done in the kingdoms of Peru; and it is my will that they shall not be admitted into the exercise or service of the said *doctrinas* in any other manner, nor shall they be given the emoluments of them.

And I also order that the archbishop and bishops of those provinces shall have the right to visit the said religious in so far as regards the ministry of curates, but in nothing else, inspecting the churches, sacrament, chrisms, brotherhoods, and the collection of alms by them, and everything that touches upon the mere administration of the holy sacraments and the said ministry of curates. They shall make the inspection personally, or through persons satisfactory to them whom they may choose for the purpose and send to the places where they cannot go themselves or have no time to visit. They shall apply correction and chastisement wherever it may be necessary, but strictly within the limits and functions of curates, as has been said, and in nothing else.

As to the personal excesses, habits, and lives of the said religious curates, they are not to be subject to the said archbishops and bishops, to be punished by them in the visits of inspection, even though it be under the title of curates, but when they [the archbishop and bishops] are informed of these offenses, without writing or bringing charges they shall secretly inform their regular prelates, so that they may remedy it; and if the latter do not do it, they shall have the right to use the authority given them by the holy Council of Trent in the same manner and cases in which they have the right and power to do with religious who are not curates. In this case I command that they shall have recourse to my said viceroy, who has the power to appoint and remove them, and represent the cases to him, so that he may act upon them, as has been done and is done in Peru.

And in order that the said religious, in so far as concerns jurisdiction, shall not try to acquire the perpetual right to the said *doctrinas*, nor that by what has been said there shall be any annulment of the regular jurisdiction in the cases of the religious which, according to the law and the holy Council of Trent, it is the province of the prelates to try, it shall be understood that it is to be without prejudice to the regular jurisdiction or the right of my *real patronazgo* [royal patronage].

All of this I order shall be carried out and executed inviolably by my viceroy, archbishop, and bishops of New Spain, and by the other persons upon whom its fulfillment depends, notwithstanding any other orders that there may be to the contrary, and which I revoke and annul as void and of no effect. Dated at Madrid, June 22, 1624. I THE KING. By order of the king, our lord. JUAN RUIZ DE CONTRERAS.

Declaration. Since in the interpretation and execution of the said cedula some doubts and differences have arisen among the prelates, ordinaries, and religious Orders of the said provinces, through the claim on their part, it is said, that what has been thus declared and ordered cannot be reconciled with the established law that they keep and profess, and that in many things it contradicts and opposes their privileges, for this reason they have refused to admit the said visits and examinations of the said ordinaries or to nominate three persons for each *doctrina* to my viceroys and governors,

saying that they have complied by naming and proposing one at their chapter meetings. From these [circumstances] there have resulted and do result every day many difficulties, and there have occurred and are occurring many disputes and serious disturbances, which must be prevented and averted in the future by taking measures and providing what is necessary for the said religious to keep the peace and quiet and to maintain, serve, and administer the said *doctrinas* in the manner due my *real patronazgo*, so that it shall not be defrauded or prejudiced.

Therefore, the matter having been conferred upon by the members of my royal Council of the Indies, with examination of the letters that the Marquis of Cerralvo, my viceroy of the said New Spain, and Don Francisco Manso de Zúñiga, archbishop of the metropolitan church of the City of Mexico, wrote to me, and memorials and papers that were presented on behalf of Doctor Don Diego Guerra, *procurador general* and dean of the said church of Mexico, and by the Orders of Saint Dominic, Saint Francis, Saint Augustine, and Our Lady of Mercy, and other persons zealous in the service of God, our Lord, and my own; and those of my said Council having informed me of their opinion, as this was still a matter of great weight and importance, I referred it to a special junta of several prelates and other ministers, and they having again examined, discussed and conferred upon it, with the attention and care that such a serious matter requires, and reported to me,

I have resolved that for the present, and as long as it shall be my pleasure, the *doctrinas* shall not be taken away from the Orders; and that the archbishop and bishops of the said New Spain shall have the right to visit the religious in regard to what touches upon the ministry of curates, and in nothing else, and to inspect the churches, sacrament, chrism, brotherhoods, and collection of alms by them, and whatever touches upon the mere administration of the holy sacraments and ministry of curates. They shall make these visits in person, or choose persons satisfactory to them to send to the places to which they cannot or have not time to go themselves. They shall apply correction and chastisement, whenever it may be necessary but strictly within the limits and office of curates, and in nothing else, as already provided in my said cedula, here inserted.

As to the personal excesses in life and habits of the religious curates, they are not to be subject to the archbishops or bishops, to be punished by them through the said visits, even though under title of curates, but, after being informed of them, without writing or bringing charges, they [the bishops or archbishops] shall secretly inform the regular prelates, so that they may remedy it; and if the latter do not do it, they [the bishops or archbishops] shall have the right to use the authority given them by the holy Council of Trent in the same manner and cases in which they have the right and power to do with the religious who are not curates. In this case, they shall have recourse to my viceroy who may be governing at that time in New Spain, or to the president or governor who may be exercising the royal patronage in those parts in my name. He has the power to name the said curates, if, upon representation of the reasons why they ought to be removed, it shall seem to him to be just and consistent they shall be removed.

In order for the said religious to become curates, even though they may be superiors of the houses or convents where they live, who are like heads of the said *doctrinas*, they must be examined by the bishops and secular judges and their examiners in the district of the said *doctrinas*, for no one can assume these duties under the Christian discipline without their permission. Both the candidate and the examiner who is deputed for this instruction ought to be conversant with the language, nor should they be able to excuse themselves by saying that they are fulfilling this requirement by having other religious who know the language and use it and act for them in this particular, as I am informed that up to now they have done very commonly. It is evident that this ministry cannot be performed in such a manner, for it would follow that he who had the title would lack the requisite capacity and ability and he who had these qualifications and performed the task would be without the title, as it would not have been conferred upon him by the said judges who have this power. All this would lead to their actions as curates, being subject to doubt, incompetence, and difficulties that they fail to consider.

But it is declared that those examined and approved once shall not have to submit to it again, either by the same archbishops or bishops or by their successors; this is to be understood as applying to the same archbishopric or bishopric in which the candidates may have been examined and approved as such curates, without restriction; but if any case should arise that demands it, because of incompetence or ignorance of the language, or if it happens, as is often the case that they desire to move to another *doctrina* in which a different language is spoken, it is just that they shall be examined, and I direct that they shall be examined anew, for they do not now have the qualifications that merited their first approval; therefore the archbishops or bishops should do so in order to satisfy their consciences.

In the elections and in the proposals [of candidates] that may be made for the said *doctrinas* and curacies by the said Orders, the provincial and chapter shall nominate three religious for each one from whom my said viceroy or governor, who may be exercising my patronage, shall choose one, according to his judgment.

And it is declared that the one among them who shall be so chosen and approved as curate by my said viceroy or governor can and may be prior or *guardián* of the convent that serves as head to the said *doctrina*, whereby is resolved the question of election; that of prior or *guardián* shall rest with the religious, and that of curate with my said viceroy or governor, to whom it appertains by the bulls of my said *real patronazgo*.

All of which I order shall be thus carried out and executed, exactly and inviolably, by my said viceroy, the archbishop and bishops of New Spain, and other persons upon whom its fulfillment is incumbent, notwithstanding any others orders that there may be to the contrary, for I revoke them and declare them to be void and of no effect. I request and charge the said Orders and their prelates, curates, and teachers, that they shall proceed in this with the tranquillity, obedience, zeal, care, and good example that I confidently expect from their persons and that are essential for such

ministries. By so doing, besides fulfilling their obligations, they will render me a very agreeable service. Dated at Madrid, June 10, 1634. I THE KING. By order of the king, our lord. Don GABRIEL DE OCAÑA Y ALARCÓN.

For official despatches two *maravedis* and for the seal a *cuarto*. The year 1638.

Sir: The *procuradores* of the provinces of New Spain, of the Orders of Saint Francis, Saint Dominic, Saint Augustine, Our Lady of Mercy, and the Company of Jesus, declare: That your Majesty was pleased to issue your royal cedula on the 10th of June, 1634, in which the form is prescribed which you desire shall be observed and kept with regard to the

Memorial of the Orders.
[Undated.]

ministers of *doctrina* in these parts. It is understood that their appointment is vested in your viceroy, after the prelates of the Order have nominated to him three qualified persons for each one of the *doctrinas*, so that the one selected by your Majesty's viceroy necessarily becomes and is regarded as minister of the *doctrina* in which he is placed. The Order may elect him as *guardián* of the convent to which the same *doctrina* belongs, if he seems to them qualified, or, if they consider that he is not, they may freely choose another, as the election of such *guardianes* belongs to them by every right. In such a case the offices of *guardián* and minister will be separate, which is what your Majesty expressly orders in the said cedula, and is inferred from your words, which are to the following effect:

"In the proposals [of candidates] that may be made for the said *doctrinas* and curacies by the said Orders, the provincial and chapter shall name three religious for each one from whom my said viceroy or governor, who may be exercising my royal patronage, shall choose one, according to his judgment.

"And it is declared that the one among them who shall be so chosen and approved as curate by my said viceroy or governor can and may be prior or *guardián* of the convent that serves as head to the said *doctrina*, whereby is resolved the question of election; that of *guardián*, or prior, or *comendador*, shall rest with the religious, and that of curate with my said viceroy or governor, to whom it appertains by the bulls of my said *real patronazgo*." From these words it clearly appears that it is the will of your Majesty that to your viceroy shall appertain only the naming of the minister of *doctrina*, and to the Order the choice of *guardián*, prior, *comendador*, or rector of the convent; but this has not been so understood or carried out.

So that difficulties may be avoided in the future and all shall be as ordered and arranged in the said cedula, which is marked by the equitableness for which your Majesty strives so earnestly, and in order that the religious shall be relieved of the conscientious doubts which they now feel, and being so relieved, may give better attention to your royal service, they beg and pray your Majesty, with all humility and submission, that

First proposal of the
Orders.

you will deign to state, clearly and distinctly, the said form that is to be observed in New Spain with regard to the ministers of *doctrina*; and that it be stated at the same time that this form is not to be understood to apply to the *guardianes*—for their election belongs solely to the Order—but only to the *doctrineros*, as is done in Peru, which your Majesty always mentions in your royal cédulas, ordering that the form of Peru shall be observed. According to that form, it is the province of your Majesty's *real patronazgo* to appoint ministers of *doctrina*.

In the Council, Wednesday, May 13, 1637. Let them propose three candidates and if they wish to select any one among those named as *guardián*, they may do so. The viceroy will choose the one among the three who seems best to him and will present him for the *doctrina*, without mixing in or interfering with the office of *guardián*.

Decree and resolution of the Council. [May 13, 1637.]

At the same time the religious humbly supplicate your Majesty to order that those presented and named by the viceroy as ministers of *doctrinas* shall not at that time be *guardianes* of the convents that serve as heads of the *doctrinas*, but that, as is provided, the Order shall have the power to elect freely those who are to be *guardianes*. Thus it is made clear that the offices of *guardián* and *doctrinero* are not one and the same, but rather the contrary, for the naming of the latter belongs solely to your viceroy, and the election of *guardián* to the Order.

Second proposal of the Orders.

The substance of the request is clearly correct; these ministries are and ought to be separate and distinct, for the nomination of *doctrinero* is made from three candidates, and only for service as such *doctrinero*, as is stated in the preceding article.

Decree and second resolution.

The religious furthermore petition and supplicate that your Majesty may be pleased to declare and order that removal or transfer of the *doctrinero* shall take place only by the authority of his regular prelate, whereupon his successor shall be proposed to the viceroy, for this will satisfy the requirements of the *real patronazgo*, to which the nomination pertains, and will avert the difficulty of having the chastisement and correction of the religious dependent upon any other than his prelate. Nor should it be necessary for the latter to specify to the viceroy his reasons for removing him, but only to assure him conscientiously that the presence of the said religious in that *doctrina* is not to the service of God or of your Majesty. The viceroy may thus appoint for it one of those whom the prelate of the Order will present to him.

[Third] proposal of the Orders.

Let what is ordered by the cedula in regard to this be observed, because of the great confusion that would result if the prelates should have the power to change the *doctrineros*, easily at their will alone; which moreover, would virtually give them these benefices, as if by right and by canonical

Decree of the Council and third resolution.

institution.

Item: That pending the nomination to the viceroy, the prelate may appoint a religious to serve at least four months, in accordance with the arrangement provided in the *real patronazgo*, or for such time as may please your Majesty; otherwise the Indians will be left without

Fourth proposal of the Orders.

ministers.

It does not seem necessary to provide for this case, for in these regular benefices edicts are not proclaimed nor is there competition, and the Orders have so many individuals that they can as easily name and propose permanent appointees as provisionals.

Fourth decree and fourth resolution of the Council.

If in any *doctrinas* having varied and difficult languages there should be only one religious competent and qualified [to serve therein], the viceroy should present him as is provided with regard to the clergy by the same *real patronazgo*.

Fifth proposal of the Orders.

There is no occasion to make a ruling with regard to this point in general; when the contingency arises let them inform the viceroy, who, being advised of the lack of qualified persons, will present the one whom they may propose, if he be qualified, or will provide what is best.

Fifth decree and fifth resolution of the Council.

As to the second clause of the said cedula, regarding the bishops, the religious supplicate your Majesty, with due submission and humility, to be pleased to declare that, in virtue of those words which say, "they shall impose correction and chastisement whenever it may be necessary, strictly within the limits and functions of curates, and no more," the prelates

Sixth proposal of the Orders.

shall not be given any more power than they have had up to the present in the inspections, for the correction and chastisement should be paternal and verbal, with the moderation and kindness that your Majesty has ordered. It should not extend beyond this, anything further being referred to the superior of the religious, who, if he considers it proper to remove him and put another in his place, for the causes and reasons that the bishop may give, shall present three candidates to the viceroy, who will make a choice for the place. Thus the Order will serve your Majesty with the tranquillity of conscience that it desires, and will receive from your royal hand the same grace and favor as always.

Sixth decree and sixth resolution of the Council—There is no occasion for the declaration that they request.

Royal Cedula. [Madrid, August 11, 1637]

The King. To the Marquis of Cadereyta, kinsman, member of my council of war, my viceroy, governor, and captain-general of New Spain, and president of my royal audiencia there resident, or to the person or persons in whose charge its government may be:

Inasmuch as the *procuradores* of these provinces of New Spain, of the Orders of Saint Francis, Saint Dominic, Saint Augustine, Our Lady of Mercy, and of the Company of Jesus, have reported to me that although I had issued a cedula on June 10, 1634, prescribing the form that was to be observed and maintained with regard to the ministers of *doctrina* of these parts, its provisions were not being observed, many of the clauses of the said cedula being violated and a different meaning and interpretation of what was prescribed in them being given, in order to obviate the injuries and difficulties that are arising from these violations, and so that there shall be the necessary peace and tranquillity within the Orders, and so that the ministry of the *doctrineros* may proceed with the requisite usefulness and zeal, the *procuradores* have petitioned that I be pleased to order an exposition of the points in the said cedula included in the memorial which they presented.

Having considered this in my royal Council of the Indies, and desiring to put a stop to the injuries that are arising from abuses in the administration of the said *doctrinas*, and desiring that what was ordered in the cedula of 1634 shall be executed and observed, I have seen fit to command that there shall be sent to you a copy of the said memorial passed upon by those of my said Council, article by article, and bearing the rubric of my secretary, who signs below. It is my will that this shall be executed and fulfilled and that you cause it to be executed and fulfilled in every particular, with attention to that resolved by me in the said cedula of 1634, and to the notes referred to in the decisions on the said memorial. You will provide that it be administered and carried out with the tact and attention that the matter requires, giving no occasion for complaints and dissensions in the future, [but maintaining] all peace and tranquillity. For the service that you will be doing me in this, aside from fulfilling your obligation, you will earn my highest esteem. You will report to me the steps taken in carrying it out. Dated at Madrid on August 11, 1637. I THE KING. By order of the king, our lord. Don GABRIEL DE OCAÑA Y ALARCÓN.

In Mexico, June 26, 1638. Taking into consideration the state in which these matters now are, and desiring to act with the greatest care in the service of the king, our lord, and his patronage, this cedula and the memorial that comes with it regarding the presentation of *doctrineros* for the ministry to the Indians is referred to the licentiate, Don Juan de Álvarez Serrano, senior *oidor* of this royal audiencia, with a certified statement of what was done in my time, which will be issued immediately in the office of *Gobernación*, where

Order of his Excellency, with transmittal to the señor licentiate, Don Juan de Álvarez Serrano. [Mexico, June 26, 1638.]

it has been sent. Then the *oidor* shall call to his house his Majesty's *fiscal*, who will state to him in writing and by word of mouth what his opinion is, and after everything has been arranged, he [the *oidor*] shall bring it to the first *acuerdo*, so that, after having examined and conferred upon it, a decision may be made as to what is for the best on each and every point included in the said memorial to which the royal cedula refers. By order of his Excellency. DIONISIO DE SUESCUN.

Most Excellent Sir: His Majesty's *fiscal* has examined the royal cédulas and the decisions in which the royal Council of the Indies has replied to the memorial of the *procuradores* of the Orders of the provinces of this New Spain, and he is of the opinion that it conforms throughout with what is ordered in the royal cedula of the year 1634 as to what is to be done; except that the *doctrineros*

Reply of his Majesty's
fiscal. [Mexico, July 1,
1638.]

who are presented by the provincials of the said Orders shall be considered as distinct and separate; that of the *doctrineros* to be subordinate and subject to presentation before your Excellency, and that of the *guardianes* to pertain to their provincial, as is stated in the first and second decisions on the said memorial, to which two decrees he refers. In everything contained in the said memorial and royal cédulas he asks that what has been thus determined shall be observed and fulfilled. Your Excellency will take such measures as are most fitting for the execution of the said royal cédulas. Mexico, July 1, 1638. Doctor ANDRÉS GÓMEZ DE MORA.

Most Excellent Sir: By order of your Excellency I have examined and conferred with the señor *fiscal* upon the royal cédulas and upon the proposals made by the religious, and the decisions of the gentlemen of the royal Council of the Indies.

Opinion of the señor licen-
tiate, Don Juan de Álvarez
Serrano. [Mexico, July 1,
1638.]

My opinion is that the royal cedula of the year 1634 comprehends and provides for all clearly and distinctly, for the words of the said cedula, "can and may be prior or

guardián," denote free will, and not the obligation that would be denoted if the words "must and shall be" were used. Therefore what is ordered and commanded by his Majesty in the said royal cedula of 1634, and in the decisions by the said royal Council on the points presented by the said Orders shall be observed, complied with, and executed exactly. Mexico, July 1, 1638. Licentiate Don JUAN DE ÁLVAREZ SERRANO.

In the *acuerdo* of Monday, July 1, 1638, were read the royal cédulas, the proposals of the Orders, the decisions with regard to them by the gentlemen of the royal Council of the Indies, the order of his Excellency, the reply of his Majesty's *fiscal*, and, the opinion of the licentiate, Don Juan de Álvarez Serrano, the senior *oidor*.

Auto of the *real acuerdo*.
[July 1, 1638.]

After the said licentiate, Don Juan de Álvarez, had made his report and the *real acuerdo* had conferred upon the matter, unanimously and by

common accord it resolved and ordered that everything should be observed, complied with and executed as ordered and commanded in the royal cedula of 1634, and in the decisions of the royal Council of the Indies in reply to the representations of the Orders of Saint Francis, Saint Dominic, Saint Augustine, Our Lady of Mercy, and of the Company of Jesus, and that for this purpose a royal decree should be issued in the proper form, with the royal cédulas, representations and decisions, the order of his Excellency, the reply of his Majesty's *fiscal*, and the opinion of the said licentiate, Don Juan de Álvarez, inserted along with this *auto*; and that the said royal decree should be printed, and after the copies should be countersigned and certified by the secretary of *cámara* and of the *real acuerdo* they should be sent and delivered to the places or persons that it seemed should have them. The said licentiate, Don Juan de Álvarez, was entrusted with putting into effect the said royal decree and with printing it. They signed it with rubrics. DIEGO DE RIBERA.

Decision. With this *acuerdo* I ordered this, my letter, to be sent, by which I command you, my viceroy, after it has been shown to you, to examine it and in everything that concerns you to observe, fulfill, and execute it, and cause it to be observed, fulfilled, and executed fully and completely, according to its contents.

And I likewise request and charge you, the said archbishop, bishops, [chapters of] vacant sees, and prelates, in all that concerns you in the observation, fulfillment, and execution of this, my letter, to observe, fulfill, and execute it with all exactitude, for if you do so I shall consider myself well served, and if the contrary happens I shall take suitable measures to remedy it.

Issued in Mexico on the 13th day of the month of July, 1638. The Marquis of CADEREYTA. Licentiate Don JUAN DE ÁLVAREZ SERRANO. Licentiate Don AGUSTÍN DE VILLAVICENCIO. Licentiate Don JUAN DE BURGOS.

I, Diego de Ribera, Secretary of the *cámara* of the king, our lord, caused it to be written by his order, with the agreement of his president and *oidores*. Recorded. Don JOSEPH DE ANAYA PEREYRA. Chancellor. Don JOSEPH ANAYA PEREYRA. Corrected by the original royal decree. DIEGO DE RIVERA. With a rubric.

In the City of Mexico, on the second day of the month of October, 1638, I, the clerk, by order of Dionisio de Suescun, clerk of the *cámara* of the most excellent señor, the Marquis of Cadereyta, viceroy of this New Spain, gave notice of this royal decree to Doctor Don Diego Guerra, dean of the holy cathedral church of this said city, to whom I delivered six copies of the said royal decree, certified by Diego de Rivera, clerk of the *cámara* of the royal audiencia of this city. And in confirmation of it he signed it, to which I attest. Witnesses, DIEGO DE VENAVENTE, notary, and JUAN BUENO, the dean; and MARTÍN DE SORIA, royal clerk.

Another. In the City of Mexico, on the said second day of October of the said year, I, the clerk, went to the convent of Santo Domingo of this said city and asked for the father *maestro*, Fray Matías del Calo, provincial of the said Order, but they told me that he was not in the city. I therefore gave notice of the said royal decree of his Majesty to the father minister, Fray Juan de Córdova, prior of the said convent, to whom I delivered six more copies of the said royal decree, certified by the said Diego de Rivera, and he accepted them and signed, to which I attest. Fray JUAN DE CÓRDOVA. MARTÍN DE SORIA, clerk.

Another. In the City of Mexico, on the said second day of the month of October, 1638, I, the clerk, in fulfillment of this royal decree, went to the convent of San Francisco in this city and asked for Father Fray Andrés de Posadas, provincial of the said Order. Being told that he was not in the city, but in Tacuba, I gave notice of the said royal decree to Father Fray Lucas Venítez, *guardián* of the said convent, to whom I delivered six copies of the said royal decree certified by the said Diego de Rivera, which he received and signed, to which I attest. Fray LUCAS VENÍTEZ. MARTÍN DE SORIA, clerk.

Another. In the City of Mexico, on the fourth day of the month of October, 1638, being at the convent of San Sebastián el Real, of the Order of Saint Augustine, I, the clerk, gave notice of this royal decree to Father Fray Juan Guerrero, provincial of the said Order, to whom I delivered six copies of the said royal decree, certified by the said Diego de Rivera, clerk of the *cámara*, which he received and signed. Fray JUAN GUERRERO. MARTÍN DE SORIA, clerk.

Another. In the City of Mexico, on the said fourth day of October, of the said year, I, the clerk, being at the college of the Company of Jesus in this said city, asked for Father Andrés Pérez, the provincial, and they told me he was not in the city but at the pueblo of Tepozotlán. I therefore gave notice of this royal decree to Father Luís Bonifaz, rector of the said college, to whom I delivered six copies of the said royal decree, certified by the said Diego de Rivera, clerk of the *cámara*, and he received them and signed, to which I attest. LUÍS DE BONIFAZ. MARTÍN DE SORIA, clerk.

Corrected with the notifications that are in the original royal decree. DIEGO DE RIVERA. With a rubric.

We certify that Diego de Rivera, by whom it appears that the certified copies of the preceding folios are signed, is the senior clerk of the *cámara* of our lord, the king, and of the *acuerdo* of his royal audiencia and chancery of New Spain, and as such he has given and gives entire faith and credit to the *autos*, certified copies, and other instruments that have passed and do pass before him, judicially and extra-judicially. In testimony thereof we issued the present writing in Mexico on March 5, 1639. CRISTÓBAL VICENTE, royal clerk, with a rubric. CLAUDIO DE PAZ, public clerk, with a rubric.

Since the month of August of the past year, on the 29th day of which your grace wrote to me—to which letter you now refer in another of December 17 of the said year, transmitting to me a printed memorial presented in the Council by Father Fray Juan del Castillo, in regard to the presentations of new prelates for the provinces of New Mexico and Sinaloa—I have been away from Murcia and from my house by order of his Majesty on business connected with my office. For this reason I have been unable to examine the

The archbishop bishop of Cartagena in regard to the reports on Sinaloa and New Mexico, and papers of the division of Tlaxcala. [Cartagena, January 2, 1640.]

papers I have on the subject or to make a summary of them in order to prepare the report that I am ordered to submit on such a serious matter. I shall take care to send it as soon as I return to my house, which, please God, will be very soon, when these occupations which have detained me are finished. I shall also attend to sending the papers that are in my possession touching upon the matter of the division of the bishopric of Tlaxcala, [which have been delayed] by the same cause. All will go together, and the Council will find me always obedient to commands, and your grace at your orders and service. May God in his mercy lengthen your life many years, as I desire. Cartagena, January 2, 1640. FRANCISCO, archbishop and bishop of Cartagena. With a rubric. Señor Don GABRIEL DE OCAÑA Y ALARCÓN.

Since your grace has not yet been convinced that I have not been in the Indies, as I have so many times assured you, but still wishes to question me about them, as appears from the letter of the 25th of last month which I have just received, reminding me of the report in regard to the advantages or disadvantages that would result from the naming of the two new prelates who are requested for the provinces of New Mexico and Sinaloa, I will do as your grace commands me by order of the Council, for events now give more opportunity and

The archbishop in regard to his intention to remit to the Council the papers concerning those [prelates] of New Mexico and Sinaloa, with his opinion. [Burgos, June 3, 1641.]

some time in which to take the papers in hand. I will endeavor to send them to your grace with all despatch. May God increase your life in estate and grace, as I desire. Burgos, June 3, 1641. FRANCISCO, archbishop of Burgos. With a rubric. Señor Don GABRIEL DE OCAÑA Y ALARCÓN.

*Copy of part of a letter written by the bishop of Nueva Vizcaya to his Majesty on January 15, 1639*²³

By a letter which I received from your Majesty, dated December 23, 1637, you were pleased to command me to give an account to the viceroy of this New Spain of the state of affairs in the province of Sinaloa, since I had inspected it with special care. Accordingly, my council and I sent him the report, a copy of which I am remitting to your Majesty with this

²³ A. G. I., 67-3-32. (Guadalajara 138.)

[letter] which seemed to be the best thing to do, alike for the proper ordering of the government of that province, and also of the kingdom of New Mexico. [The copy] agrees with [the original].²⁴

[*The Marquis of Cadereyta*] to his Majesty. In regard to the establishment of bishoprics in the provinces of New Mexico and Sinaloa.²⁵ [Mexico, February 28, 1639]

The viceroy to his Majesty, February 28, 1639. In regard to the establishment of bishoprics in the provinces of New Mexico and Sinaloa. He is of the opinion that in the province of Sinaloa a bishopric should be established, with all that is concerned with new conversions, and he sends certified copies of what is stated in this letter on certain points.

[*On the margin is written:*] Duplicate number 17. With the decree for the señor *fiscal*. The *fiscal* asks that the bull and cedula of patronage be brought, as the council has ordered. In Madrid, August 28, 1639. Signed with a rubric.

Sir: By a decree of December 23 of the past year of '37 your Majesty orders me to correspond with the bishop of Guadiana and inform myself of the state of affairs in the provinces and districts of New Mexico and Sinaloa, [to determine] whether it is time to divide them into bishoprics and establish reductions and *doctrinas* among those Indians in which the royal patronage shall be exercised and tithes and some tribute paid; and that along with these matters I shall report also on anything else that I regard as important to your Majesty's service. In view of these orders, I state that pursuant to the obligations of my office, in a letter of July 22 of the past year of 1637, touching upon matters relative to the royal patronage, I petitioned that your Majesty should be pleased to grant a bishop to the province of New Mexico, and that he should be, for the present, of the Order of Saint Francis, since the province has been under their charge and its conversion and instruction have been accomplished without the aid of any other Order; and for this purpose I proposed one of two religious who seem to me to be very well qualified and who have been provincials. They are Francisco Miguel de la Cruz, one of the most successful ministers of *doctrina* that this kingdom has had, a preacher in the native tongue and in Spanish, learned, discreet, and pious, and about sixty years of age, more or less, though in good health; the other is Fray Francisco Rodríguez, lecturer emeritus in theology, discreet and pious, and of about the same age and state of health.

I am of the opinion that the appointee should assume the state that is most conducive to the service of God, our Lord, and the satisfaction of your Majesty's royal conscience. It is not necessary that a cathedral church with canons be erected at present, but, after the bishopric has been established, a beginning made in collecting tithes, and the conversions brought under the form that may seem best, it will be possible to undertake it; and

²⁴ F. R. B., Sevilla, Sept. 12, 1914.

²⁵ A. G. I., 67-3-32. (Guadalajara 138.) Some sections and words of this document were omitted from the Bandelier transcript. They have been added from the Bancroft Library transcript of the same document.

time will tell what will be best in the creation of prebendaries. I am also of the opinion, Sir, alike because of what has been said, and because of my own experience, that the people of those extensive provinces have great need of a consecrated pastor, independent of the secular prelates chosen by the Order, and he would be of not a little assistance to the political government in informing the viceroys how the governors they send there may be improved.

In regard to the province of Sinaloa it is necessary to inform your Majesty of the error under which, in my opinion, the fathers of the Company of Jesus, who have under their charge that form of *doctrina* that they call missions, are laboring, as is proved by the [enclosed] certified copy of the reply which they gave to the notification of the decree in which were inserted the new orders and cédulas of your Majesty giving the form to be observed in them [the missions]. In the reply, regardless of the bull of patronage, they deny that they are ministers approved and sent by your Majesty; and the necessity of harmonizing what they say in this with the unmistakable provision of the bull, which does not permit or give authority that they shall be ministers without the order of your Majesty, has caused me great anxiety, and, although I might have tried to adjust it, because of the danger which the resentment of this religious Order usually brings behind it, I withheld judgment and pretended that I had been misunderstood. I therefore send the reply so that your Majesty may order the Council to examine it and adopt such remedies as may be necessary. It is noteworthy that scarcely had this reply been issued and delivered when they put out public statements concerning the bull of patronage. Having received notice of it and having learned that it was being printed, and knowing the danger and harm that might result if a right so important and so well established and acknowledged for foreigners and those disaffected with the crown of Castile, should become a matter of dispute, I sent word to the provincial and said enough to him to put a stop to this. Nevertheless I am not sure of what they may write, for I find them greatly inclined towards the malcontent prebendaries of the church of Tlaxa.

In order to give information of the state of those missions, I send likewise a certified copy of an order *de ruego y encargo* which I caused to be issued, enclosing a petition which the *procurador general* presented, asking that an order be given him for the payment of a sum of money whose value it appears he had supplied in goods to the soldiers of that presidio. The reply made to him is sent with it. These documents substantiate what the bishop said of the profit they are making there, but I do not hold that to be bad—on the contrary it seems to me to be a good thing that they have established farms, even though they employ on them some of the Indians, for, besides that in parts so remote it is conducive to the public good that those people, who by nature abhor work, shall be shown the profit to be gained by it, when the government becomes settled as it is in other places, anything in the way of oppression, which I do not believe exists, will cease. They [the Indians] will have their pay and the free right to serve any one whom they may choose, according to the ordinances, and by all these things the public good will be promoted, as is evident.

The above facts being thus noted, I hold it to be desirable and necessary—not only for the same reasons which I mention in the case of New Mexico, which hold good in this case also, but because the reasons for this province are even greater than for that, and because it is very desirable that the *doctrina* shall extend along the coast of the South Sea until it reaches the latitude of New Mexico, a space of more than three hundred leagues, full of people and mountain ranges, the best that have been discovered for all sorts of things pertaining to human life—that your Majesty should be pleased to grant that a bishopric with all its appurtenances be established in the province of Sinaloa, with everything for the encouragement of the new conversions that have been and are now being opened.

This step is aided by the proximity of that land to the Californias, for from its coast one may go to them in sailing ships in from twenty-four to thirty hours; and, as I have said in a report that I made to the Council in regard to the settlement of that country, it is desirable that there shall be in its confines a consecrated pastor, independent of the prelates of the Order, although for the present he should be a religious of the Company of Jesus. No cathedral should be erected, but the same plan followed that I have already proposed for New Meixco. The one whom I find to be without equal in these provinces, and who it seems to me would accomplish this task successfully, is Father Gerónimo Díaz, who is now and has been many times president of the *Casa Profesa* and provincial, with universal approbation, and is supremely pious, mild-tempered, and discreet. I do not praise his learning because in the Company all those who rise to these positions are learned. He is about sixty-four years of age, but in very good health.

As to whether they can pay the tithes, I hold it to be very easy—in the case of the Spaniards without any doubt, and in the case of the Indians also—from the products of Castile that they will raise. These products are now very few but will increase greatly when the *doctrinas* shall be in operation, as they have done in other parts; and it will be easy to arrange the matter because of the people's eagerness to be able to produce those things.

As for the payment of tribute, at present it seems to me that it ought to be postponed until these two churches are established, the collection of the tithes under way, the bishops appointed, the country examined, and the climates of the provinces and the nature of their inhabitants studied, to determine whether the same acknowledgment of vassalage as is paid by the other provinces, which is four *reales* annually in service, may be arranged with the prelates themselves. Although the tribute may appear to be small, yet because of the large number of people it will amount to a considerable sum. Up to the present there are no mines, and when they are [opened], being new, according to the latest orders of your Majesty forced service by *repartimiento* must not be used in them. Labor being voluntary, the abuses will not occur which have been experienced in mining elsewhere. These provinces will increase in population, the spiritual government will have enough for its needs, and the temporal will have contributions to give by which your Majesty will be well served. A certified copy of

the proceedings that I have carried out pursuant to the cedula goes with this, so that on the whole matter the best decision may be made. May God preserve the Catholic and royal person of your Majesty, as Christianity and your subjects have need. Mexico, February 28, 1639. The Marquis of CADEREYTA.

Decree of the Council of August 19, 1639

Let the señor *fiscal* examine this report, the papers that gave rise to it and the others that have come and that there are on the subject, as well as the existing bull on the erection of churches; and let him ascertain what there is with regard to the *doctrinas* that the fathers of the Company of Jesus are said here to have, and in the light of this information let the *fiscal* also examine this matter [in its relation] to the bull and cedula of patronage.

They agree with the original decrees that are [enclosed] with the first letter and bound.²⁶ With a rubric.

The *fiscal* asks that the bull and cedula of patronage be brought, as the Council has ordered. In Madrid, August 28, 1639. There is a rubric.²⁷

*Copy of a letter which the bishop of La Puebla de Los Angeles wrote to his Majesty on November 25, 1640*²⁸

He informs your Majesty that the Franciscan friars in New Mexico are using the bishop's crosier and mitre, administering the sacrament of confirmation, and conferring ordinations in the minor orders, without its being understood that they have the apostolic brief for it.

Sir: Just as the light of the sun is less powerful at a distance and there is danger of darkness and shadows, so, at a distance from your Majesty and your Councils and the pontifical power, one finds provinces as remote as these exposed to great errors and misunderstandings if those of us who are in them with the obligations of ministers and priests do not give account to your Majesty so that you may remedy it. The bishop-elect of La Paz, formerly bishop of Durango, has assured me that he will submit evidence—and I will receive it, in accordance with the decree of December 19, 1639, in which your Majesty commands me to receive it in similar cases—for the purpose of informing your Majesty that the Franciscan friars in New Mexico are using the mitre and crosier, and, what is more important, are administering the sacrament of confirmation and also conferring ordinations in the minor orders, without its being known in the Council or here that they have the apostolic brief for it; hence they say that they are availing themselves of the general brief.

Also, certain persons zealous in the service of God and your Majesty have come to inform me that the commissary general who is substituting

²⁶ F. R. B., Sevilla, Sept. 12, 1914.

²⁷ A. G. I., 67-3-32. (Guadalajara 138.) Ayer transcript.

²⁸ A. G. I., 67-3-32. (Guadalajara 138.) On the back of the last page is the following: "Mexico. To His Majesty, 1640, 25th of November. Copy of a letter written by Señor Don Juan de Palacios, bishop of La Puebla, on matters of the sacraments administered by the Franciscan religious in New Mexico, with the decree of the Council."—F. R. B.

in place of the one who is at this court places at the beginning of his titles some words that I certainly do not wonder should lead them into great misunderstandings, for, after having given a large number of titles, he ends with, *cum plenitudine potestatis autoritate apostolica*. As the title appears there not to limit him to the affairs of his order and to the matters that concern its friars, who are always attempting to shake off the yoke of the regular authority and of the bishops, it will seem to them that not only have they the right to [enjoy such freedom] with a patent from their commissary, but also that they can perform the rites of consecration, and that their commissary general is really a legate from his holiness, the pope.

This is supported by the fact that when the bishop of La Paz asked a Franciscan religious how they dared to confer minor orders and with what authority they did it, he said that it was done by virtue of the patent of their commissary. When he showed it the bishop saw that it said that he gave them authority to administer certain *doctrinas* in New Mexico and to give the necessary orders, and on the margin he saw the word "orders" noted, from which, with extraordinary simplicity, they inferred that they could confer them. The bishop endeavored to undeceive them.

With this a church new and foreign to the Catholic Church is arising, and it is being administered and fed upon sacrilegious errors and misunderstandings; for it is certain that except by apostolic indulgence (which is very rarely granted, and there are moral theologians who deny that it can be granted, though the first [theory] is more certain), a simple priest cannot confirm or ordain, and it would be preposterous to declare the contrary. Moreover, they do not defend themselves by claiming that they have this brief, and I have not heard of such a thing in the Council. On the contrary I have heard it stated there that it would be to the advantage of those provinces to create a bishop to administer these sacraments.

I am reporting this affair to your Majesty, and the [supporting] evidence will go with the fleet (other occupations have not given me time to prepare it), if it so be that in order to avert this mischief the statement of a prelate as responsible and serious as the bishop of La Paz, formerly of Durango, is sufficient. To him, as being the nearest, fell the care and vigilance over this holy sacrament. He assured me also that he gave information of it to the Inquisition of this city, where they intimated to him that since the friars were doing it they must have a brief for it. I consider it to be a very grave matter, and very incumbent upon your Majesty and your ministers to ascertain whether the religious have such authority and whether the Council has passed upon it. Your Majesty will order according to your pleasure.²⁹

Decree of the Council of May 25, 1641

Examined; and let everything in the Secretariat that has been requested and ordered in regard to the matter of establishing a bishopric in New Mexico be brought here. And let it be ascertained whether these bulls for confirming, ordaining etc., have passed through [the Council].

²⁹ F. R. B., Sevilla, Sept. 14, 1914.

✓ AUTOS WHICH CAME WITH LETTERS FROM THE VICEROY, DATED
FEBRUARY 28, 1639, CONCERNING WHETHER THE DIVISION [LA
DIVISIÓN] OF BISHOPRICS IN NEW MEXICO AND DOCTRINAS OF
SINALOA WOULD BE ADVISABLE³⁰

[*Royal Cedula. Madrid, December 23, 1637*]

To the viceroy of New Spain: Let him report what he deems appropriate concerning the Indians of Sinaloa, and whether reductions and *doctrinas* can be established there, with the requirement that they shall pay tithes and some tribute.

The King. To the Marquis of Cadereyta,³¹ relative, [member] of my Council of Wars, my viceroy, governor, and captain-general of New Spain, or the person or persons in whose charge may be its government: In a letter which the bishop of Nueva Vizcaya wrote to me on the twentieth of last April he says that last year he set out to inspect his bishopric along the west coast as far as the province of Sinaloa, a region altogether occupied by the fathers of the Company of Jesus, and distant from the city of Durango one hundred and thirty leagues. From there their missions extend another hundred leagues along the coast of the Californias as far as the Río de Mayo.

The said fathers have on various ranches more than one hundred thousand head of cattle, and the land is very fertile, and produces abundantly wheat, maize, cotton and other crops. All of this the fathers administer with the aid of the Indians, who number more than sixty thousand, from whom no tribute is collected; neither are tithes paid. He says that there would be much trading if the salaries of the soldiers and for the missions were paid in money in Sinaloa and not in clothing. The matter having been considered in my royal Council of the Indies, it has seemed fitting to me to order you (as I do) that you correspond with him [the bishop of Nueva Vizcaya] and give him the help and assistance which they request of you in this matter, that you inform yourself from the bishops, governors, and other informed persons who may have had experience in that country and in that of New Mexico, and their respective districts, and that you send me a very detailed report of it all with special attention as to whether it is time to divide [*dividir*] bishoprics, establish reductions and *doctrinas* of those Indians, in which my royal patronage may be safeguarded, and compel them to pay tithes

³⁰ A. G. I., 67-3-32. (Guadalajara 138.) From the Bancroft Library transcript of this *expediente* it appears that the above title is that on the *carpeta*, or cover, and that the title of the *expediente* itself is: "*Autos of New Mexico and Sinaloa. Concerning whether there should be bishoprics.*"

Some sections of this *expediente* were omitted from the Bandelier transcript. They have been added from the Bancroft Library transcript of the same *expediente*.

³¹ Bolton (*Guide*, p. 469) lists Lope Díaz de Armendáriz, Marqués de Cadereyta, as viceroy of New Spain from 1635 to 1640.

and some tribute. Concerning this and everything else that you may learn you will inform me with all clarity and, in case it is advisable to make any change, you will proceed in doing it with the care that may be necessary, as is confidently expected because of your good sense, so that no disturbance may occur among those natives. Madrid, December 23, 1637. I THE KING. By order of our lord, the king, Don GABRIEL DE OCAÑA Y ALARCÓN. Signed by the Council.

Compliance [of the Marquis of Cadereyta. Mexico, August 5, 1638] ✓

Don Lope Diez [*sic*] de Armendáriz, Marquis of Cadereyta, of the Council of War of his Majesty, his major-domo and lieutenant governor and captain-general of this New Spain, and president of the audiencia and royal chancery which resides there.

Having seen the cedula of his Majesty on the preceding page in which it is ordered that I report to him that which may seem appropriate to me concerning the Indians of Sinaloa, and whether reductions and *doctrinas* can be established there, with the requirement that they shall pay tithes and some tribute, and complying with it, as I do comply with it, with the reverence and respect due, in order that its compliance may be effected, by the present writing I order that the said decree having been transcribed in the government records, commands of request and instruction concerning its purpose shall be despatched, one to the bishop, dean, and *cabildo* of the holy cathedral church of Nueva Vizcaya in order that they may note the favor and aid of which there is need and may inform me of what is decided in this matter, [and may send me] a certified copy of the *autos* which have been or may be made for its justification and better intelligence—and the others to the father commissary-general of the Order of Saint Francis, or, in case of his absence to the one who may be acting as his substitute, and to the provincial of the Company of Jesus, in order that the former because of his connection with the provinces of New Mexico and the latter, because of his connection with those of Sinaloa, may convoke a gathering of the religious who may be here who have been in the said provinces. And, having taken counsel upon the report and upon what his Majesty orders, let them inform me in writing, within two months, of the advantages and disadvantages which the disposition and compliance with the said cedula may yield to the service of God and his Majesty in the said provinces, together with whatever else that may occur to them in the direction of the same purpose. Done at Mexico, August 5, 1638. The Marquis of CADEREYTA. By order of his Excellency, DIONISIO SUESCUN.

The above orders were issued and despatched to-day, the 8th of August, 1638.

Petition [of Father Andrés Pérez and other chaplains of the Company of Jesus. College of Mexico, September 12, 1638]

Most Excellent Sir: Father Andrés Pérez, provincial of the Company of Jesus in this province of New Spain, declares that in fulfillment of a command of request and instruction which your Excellency ordered sent

to him, enclosed in which is a decree of his Majesty, issued on the twenty-third of December, 1637, and with it [the cedula] a report which the señor bishop of Durango made to his Majesty concerning some matters relating to the missions which the Company of Jesus has and administers in that bishopric, the said father provincial, complying with the command of your Excellency, assembled the fathers who have labored in those missions for many years and who at present are in this City of Mexico, in order that they might report upon the said matters and points. And, actually, there were assembled in this our college the following fathers: Fray Luis de Bonifaz, former provincial of this province and at present rector of this college, who was in those missions for sixteen years and was the visitor of them; Father Pedro Méndez, [who was] forty years in Sinaloa; Father Juan Acassio, who was for many years rector of the mission of Topia; Father Martín de Egurro, minister of the *Casa Profesa*, who was at the mission of Parras for eleven years; Father Gaspar de Najara, [who was for] eighteen years at that of Topia; Father Laurencio Adame, who was at that of Nueva Sinaloa; Father Diego de Azevedo, who administered for fourteen years in that of Topia; Father Andrés López, [who was for] ten years at that of Tepeguanes; Fathers Juan Ángelo Balestra and Juan de Ardeñas, [who were] in Sinaloa for fourteen years; and, finally, the father provincial, Andrés Pérez, who was in Sinaloa for sixteen years and had dealings with all its nations and made several exploring expeditions in company with Captain Diego Martínez de Hurdaide, who was for thirty years captain of the presidio which his Majesty maintains there for the pacification of the various nations of this province who have received the gospel and are each day becoming more submissive to it. We, the said fathers, being assembled in order to make a reply to the subjects which the cedula of his Majesty mentions, and which your Excellency commands us to note and report, declare, first, that we find that the said points and articles reduce themselves to eight, which are the following:

1. That the missions of the Company extend for one hundred and thirty leagues from the city of Durango as far as the villa of Sinaloa, and from there another hundred leagues along the coast of California, as far as the Río de Mayo.

2. That in this distance the fathers have more than one hundred thousand head of cattle on various ranches.

3. That this land is very fertile and abundantly productive of wheat, maize, cotton, and other crops.

4. That the fathers raise all these crops with the labor of the Indians.

5. That the Indians at these missions number more than sixty thousand.

6. That the said Indians do not pay any tribute to his Majesty nor do they pay tithes, and it is to be considered whether it will be well to compel them to pay tithes and tributes to his Majesty.

- [7.] Whether, if the pay of the soldiers of the presidio which his Majesty has in Sinaloa were given in money instead of partly in clothing, as it is now done, it would result in an increase of trading in that country.

- [8.] Finally, whether it is opportune to mark out bishoprics in that country and in New Mexico, and also [to establish] reductions of *doctrinas*

where the royal patronage may be safeguarded. His Majesty, with his great and wise judgment and clemency, adds that if it may be found advisable to make any change in the disposition of the said affairs, action shall be taken with the greatest care, in order that those people and nations may not be offended.

In compliance with the mandate of your Excellency, the said father provincial convoked the above-named fathers, and they, considering the subjects of this report, reply, unanimously and in agreement, in compliance with the order of your Excellency, with reference to the first article that these missions extend from Durango to Sinaloa, a distance of one hundred and thirty leagues, and from the villa of Sinaloa, lying inland, another hundred leagues to the coast of the Gulf of Californias. They reply that it is a fact that from Durango to the beginning of the province of Sinaloa there are one hundred and thirty leagues and in this distance are the three missions which the Company administers, namely, that of the Tepeguanes, that of the Real de San Andrés, and that of Topia, the mission of Parras being to one side. But that of Sinaloa, which is beyond them all, continues from where it begins to the point to which the gospel and Christian nations to-day extend—including the new nations that have this year received holy baptism. It has a length of one hundred and thirty leagues and a width of sixty. The Gulf of the Californias borders it on the west and extends beyond toward the north. In all this distance there are various nations and languages of barbarous peoples, settled along the rivers that cross the entire province, all of whom the fathers of the Company of Jesus have reduced to the faith and administer to in various districts.

With reference to the second article in which it appears that advice was given to his Majesty to the effect that in all this area covered by the said missions the said fathers of the Company of Jesus have on ranches more than one hundred thousand head of cattle, the reply is made that the said fathers have only one ranch in the province of Sinaloa, and it is the hacienda of the college which is in the villa of that province and it serves for the support of the said college and those who live in it, because the Company, according to its law, does not receive allowances. Its members are administering the holy sacraments as curates to the inhabitants of the villa, who are very poor, and to the presidio of soldiers which his Majesty has there. In addition to that, the said college gives part of the beef cattle to assist in supporting the fathers who are away from it—distributed among its missions and various districts, which number more than thirty throughout this entire province of Sinaloa—ministering to its Indians who number ninety thousand. These Indians neither give nor do they have anything to give to the fathers for their support, for they did not have nor do they have for such more than some maize, beans, and pumpkins, which was the food of these nations in their heathen state. Even the cattle which the college of Sinaloa gives to the fathers are divided with the Indians in order to endear them to the place, to win them over, and to keep them quiet. For the fiestas which they as Christians are accustomed to celebrate in their towns, they kill a large number of cattle for the many people who gather to participate in these fiestas in their towns; also in time

of sickness the Indians have no other supply of meat. Finally, the ranch, although it has some cattle for all these purposes, has not a number approximating one hundred thousand head, nor even eight thousand, because the greater part are wild cattle, scattered through the many thickets and craggy regions of the country, from which there is no profit. Finally, a good share of the products of this ranch is used in its own provisioning. The number of cattle of which the señor bishop of Durango spoke must include the number belonging to some other ranches which the poor inhabitants of those provinces have and some small herds of cows which the fathers have in their districts in order to sustain themselves from their milk, since in these parts there are no stores or markets where one can buy food. From this it appears that neither his Majesty nor the señor bishop has been correctly informed concerning the multitude of cattle which it is said that the fathers have. Such is the answer concerning this point.

As regards the third point, which relates to the fertility of these lands and the crops which it is said are produced on them in abundance, namely, those of wheat, maize, cotton, and other things, in order to answer accurately it should be stated first that with reference to this point it relates to the province of Sinaloa, and, in addition, to all the other lands from Durango to Sinaloa, where are located three missions—Tepeguanes, Topia, and San Andrés. For, commencing with the province of Sinaloa, it is most certain that in all that part of it that is explored and reduced to Christianity and to the crown of his Majesty no other crops were [originally] produced from the land, nor did those people know any others than maize, beans similar to Castilian *havas*, calabashes, and some other seeds and vegetables. Yet all these crops are so short and the droughts so frequent that the Indians are many times compelled to go to the forests to search for plant roots to eat and to hunt for deer and other wild animals. Consequently it happens that not a few times in these withdrawals of the Indians to the woods to search for their food and sustenance, which usually last for some months, the fathers and their ministers find themselves compelled to go to the forests and wild places to administer some of the holy sacraments to those of them who therein fall ill, in order that they may not die without them. Many times hunger which they have experienced in Sinaloa has obliged them to send for sustenance from outside the said province, not only for the religious but also for the Indians.

With reference to wheat, during more than sixty years since the discovery of this province it has never been produced nor sown, and the fathers have lived on corn *tortillas*. The flour for the communion wafers was brought from the valley of Santa Bárbara, one hundred and thirty leagues distant, and along very bad roads, on account of having to pass over the very high mountains of Topia. And, if finally, after such a long period, the fathers were moved to consider planting a little wheat in order to supply the lack of communion wafers for the altar, which lack sometimes reached such a point that they were compelled to desist from saying mass for the want of them, that wheat which they planted has been of very small quantity, because there is no land suitable for raising it nor the

tools for the same purpose. Nothing was known in that country of ploughs and oxen, and there are neither laborers who understand farming, nor grain-land except some valley and river-bottom land from where as a result of the rising flood-waters the seeds are washed away.

Coming to cotton, of which it is also said that it produces abundantly in this country and from which cotton garments are made—in order to prove the contrary, it is enough to see the penury and the poor clothing of the people that inhabit the province of Sinaloa. For, among them, there are some whose women cover themselves only with grass and deerskins. The first time that the señor bishop, Don Juan del Valle—who was at that time bishop of Guadalajara, and these provinces fell in his diocese through not having been divided at the time of the confirmations—entered to confirm the Christians of this province, the captain of that presidio had to send six soldiers with as many cloaks to cover decently the many people who were insufficiently dressed who came to be confirmed. And the father who at present is father provincial of the Company, who was there on that occasion at the side of the señor bishop, saw that his lordship, with his great pity, did not even exclude the poor Indian women who, because of the multitude and the hurry, came to be confirmed dressed only in grass, on account of not having any other clothing with which to cover themselves. All of this is proof and clear evidence of the poverty of these people and of the sterility of the land which is said to be one of abundance. Those who dress the best in these countries have only a cotton blanket, or one made of some wild plants, without any other covering or protection. It is not because these nations do not like to clothe themselves that they do not take the trouble to look for clothing, for many times it happens that for a suit of coarse cloth they go to work in the mining camps and other places very distant from their country—as, for instance, at Topia, Zacatecas, and Guadiana. The reason why they do not avail themselves of cotton is because, although some does grow in their country, a very small yield is gathered from the little that is grown. This is because at the time that it produces heavy frosts generally occur in that country which destroy it. Of this we who have lived for many years among those people are witnesses, and if the señor bishop of Durango, when he entered to visit and confirm in the province of Sinaloa, saw Indians come dressed in cotton blankets, they must have been those from the pueblos nearest the villa, who are somewhat more civilized, and some who borrowed them in order to appear with more decency before his lordship to receive the holy sacrament of confirmation. His lordship did not go another eighty leagues further inland to Christian communities where he might have seen the extreme poverty, as regards clothing, of these people.

In the fourth article it is said that the fathers of the Company raise all these crops through the work of the Indians, which practice, in this report, is said to be very common; and it seems necessary that it should be stated whether crops of maize, beans, and cotton are spoken of. Certain it is that the fathers, in order to sustain the people who serve in the church—cantors, instructors [*temasitanos*] who teach the catechism, sacristans, or *fiscales*—spend and consume on them, in order that they may assist at

the church at their regular periods in proper decency, a large share of the alms which his Majesty, with his royal piety, gives them from his royal treasury and funds. And even this is not sufficient because sometimes the father, by clothing them, is unable to clothe himself. To this is added the expense of decorating their poor churches and that of [obtaining] sacred ornaments, which are very essential in this new Christian community in order that the fathers may convey to them the concept of things sacred and divine which never before they saw or knew about. Perchance they do inspire the Indians to clear some small corn fields, but this is something of very little importance; and in the pueblos near the villa there may be some yield of corn but even this, if a famine comes, is eaten up and consumed. Thus they sustain themselves in times of necessity, which are not few. In times of sickness, which do not occur infrequently, it is a fact that if the fathers and ministers do not care for them they die of hunger, and certain it is that the fathers are obliged to take care of these poor people as if they were children and pupils. As regards all this poverty which we have described in Sinaloa, we can say that almost the same is being experienced in the other missions of the Company outside of Sinaloa, and, if some others are in a somewhat better state it is because they are near mining camps, where by working in them they obtain better clothing and food. It is not otherwise, this great fertility that may be ascribed to these countries, so far distant and apart from Mexico, which is the place from where help goes to these people.

And now we come, Sir, to the fifth point, in which it is said that the Indians of these missions of the Company total sixty thousand. We reply that if those who have been baptized by the Company are counted according to the entries in the baptismal books, in the mission of Sinaloa alone, since the Company entered there, they will amount to two hundred thousand souls, children and adults; and, in the other four missions—Tepeguanes, Parras, Topia, and San Andrés—another hundred thousand. Those living to-day in all the said missions will total about one hundred thousand souls, and not merely the sixty thousand concerning which a report was made to his Majesty, for in that of Sinaloa alone more than ninety thousand are being administered to to-day, without including in this number those Indians of the heathen nations that are continually being discovered in that province and each day are asking for baptism; furthermore his royal Majesty, with Catholic piety, continues to receive them under his crown and protection. Our Lord has placed them in his range of vision so that he may gather them into His church, for the greater glory of God, our Lord, and of his Majesty. Thus by this work we hope to extend and prosper his kingdoms, as we desire, and the work is such that we can promise the said prosperity in his kingdoms and royal patrimony, and more in heaven.

The sixth point, which is touched upon in the cedula of his Majesty, is whether it will be well for the Indians of these missions and provinces to pay tribute to his Majesty and also tithes. Speaking of these matters briefly, we reply that as to the payment of tithes it already is known that in all this kingdom of New Spain the Indians are free from the said pay-

ment of those products that are native to this country, such as maize, beans, etc.; that when they raise products of Castile they also pay tithes of them. Coming to the Spaniards who live in those provinces and missions of which we are speaking, we state that all pay tithes of their incomes and the crops which they plant and gather, even though they are poor, as are all those who inhabit these provinces so far away and so thinly settled with Spanish people. In fact, these provinces would be uninhabitable for them if it were not for some silver mining camps that are situated and worked in them.

Proceeding now to the matter of the tributes and the proposal to impose them upon the Indians who are so new to the faith and who exceed all the people who have ever been discovered in the world in the matter of great and extreme poverty, we judge it to be almost impossible for them to pay tribute, and the imposition and execution of it at present to be exposed to great dangers and inconveniences and to greater losses than gains. These people of whom we are now speaking, besides being so barbarous, are poor, without any form of organization or government. In their heathen state they know nothing of tributes or taxes such as the Mexicans and other civilized nations had, and any charge or interference that is laid upon them angers and disturbs them, especially at the beginning of their reduction. Of this we have good testimony in that which happened a few years ago in the nation of the Tepeguanes;³² at that time, wishing to oblige them to be apportioned for working on the farms and in the mines, and although paying them wages for their work, nevertheless they took it so ill that they rose up and set fire to all the haciendas of Spaniards and to the mining camps in their districts. They destroyed the mining camps of Guanacelos and that of Indehe [Indé] and took the lives of all the Spaniards, large and small, that fell into their hands, even of the ministers and fathers who taught them, for it seemed to them that making them Christians was for the purpose of making slaves of them for work.

Such great damage followed from this uprising that the mining camps of which I have spoken and all the haciendas, both for cattle and for farming, that there were in the vicinity of their lands were destroyed, and even the city of Durango was in great danger of being laid waste. Besides these said damages, even greater was the expense to the treasury of his Majesty in the pacification of this nation during the three years that the [uprising] lasted, for the cost amounted to nine hundred thousand pesos. Of this a good witness will be Señor Don Juan de Cervantes Cassaos, paymaster of his Majesty, who examined these expenses. This expense does not include the loss to the royal funds while the mines could not be worked because of the disturbance of the uprising.

It is very important to note a circumstance and difference that intervenes between the said nation of the Tepeguanes, who caused this damage, and those of Sinaloa, upon whom the matter of imposing tribute is being discussed. This is that a single pueblo, not to mention forty other larger ones that are in the province of Sinaloa, has more people than all of the

³² Reference is to the Tepehuane rebellion of 1616-1617. See, for details, II: 17-18, 101-115, of this series.

pueblos put together of the Tepeguanes, not to speak of innumerable other heathen nations beyond them that are every day being reduced and are on the watch to see how the Spaniards treat them when they submit to the gospel. One of the pretexts with which the Tepeguanes attempted to make the nations of Sinaloa join them in their uprising, as in fact they did try to do through the mountain range that borders on that province, was to tell them that by rebelling with them they would free themselves from the subjection and labors in which they found themselves through being Christians. And, if the noted Captain Diego Martínez de Hurdaide had not hastened with his presidials to check immediately the attacks made in two or three places in Sinaloa by the Tepeguanes, a great risk would have followed to all that province of uprisings, and if disturbances had occurred there, what a sum from the royal funds would have been needed to quiet them! It is true that one of the principal reasons that the señores viceroys had for not making a change in thirty years in the office of captain of the presidio of Sinaloa, in the person of the distinguished Diego Martínez de Hurdaide, was because he was so brave and skillful in keeping these people quiet and in lessening the expenses of their uprisings.

Among people so new and barbarous who accept the gospel, the devil endeavors in every way that he can to cause disturbances. Of all this the father provincial, who here speaks and who was at that time in these missions of Sinaloa, is a witness. And, in order that we may anticipate an objection that may be offered here, which touches upon the estate and income of his Majesty, of which we all ought to take care as his faithful vassals, the [said objection] is that since his Majesty has dominion over these people and the expenses which he incurs for them and his ministers it is quite right that his royal income should receive some benefit from them. We reply that he does receive it, for, besides the spiritual benefits of the innumerable number of souls that by means of his Catholic Majesty are entering the Church—and it well fits the glorious office of Catholic and universal king to make all the people of the world come and be gathered into the Catholic Church, of which his Majesty is the most firm column, to which royal and high title the vicars of Christ have added these many worlds to his royal crown, and his royal piety has always shown pleasure in the conversion to the faith of these people of whom we are treating—there do result other temporal benefits from them to his Majesty which he and his subjects enjoy, with which there is no doubt that our Lord favors him in pay for those spiritual services that his human Majesty renders to the Divine Majesty.

It is true that from the nations new to the faith in the missions to which the Company and others administer in the neighborhood his Majesty receives no profit in tribute, yet he does receive it from not a few mining camps which are situated in these provinces and their vicinity, and others are being discovered every day. The mines of Topia, Vírgines, San Andrés, Guanacebi, Indehe, Parral, Quéncame, and others of less importance have all been discovered in the country of these nations, and even if they should rise up it would be impossible to work them or obtain any product from them. We add that even the wild Indians, when they are

treated kindly and without violence, are applying themselves every day to the work in the said mines, which is very profitable to the funds of his Majesty. Besides this, in the province of Sinaloa it has been and is proposed to undertake the discovery of the pearls that are found on the arm of the Mar de Californias which borders this province on the west, and there will surely be revenue from this industry when, by order of his Majesty, the Californias shall be settled, they being separated from Sinaloa by the said arm or gulf of no more than seventeen or twenty leagues of water. Unless, therefore, all these nations are kept in peace and Christianity it is seen that there will cease the temporal profits of his Majesty and of his subjects in all those mines and discoveries, the utility and benefit of which exceed those received by his Majesty in other parts from the tributes of vassals. It is certain that everything spiritual as well as temporal, would be put in manifest risk by imposing tribute on these people.

The king, our lord, suggests very sensibly, although so distant, with his high and royal foresight and that of his royal Council, in the words of his royal cedula, which order that great care be used in instituting any changes in the government of these people. With this we have given our opinion in regard to this point, in which it has been necessary for us to go into greater detail because of the gravity of the matter.

Let us proceed then to the seventh point that is raised, namely, whether by making the pay of the soldiers of the presidio of Sinaloa all in money, and no part of it in clothing, as is done at present—the royal officials of his Majesty giving it [the clothing] to that province at cost, or at very small profit because of it being so distant and destitute of clothing—it would be more advantageous to that country's commerce for their pay to be all in money. To this, Sir, we reply first that both ways have been used in paying the soldiers. During the first years they were paid the entire amount of their wages in money from the royal treasury of Mexico, the warrants for their pay being sent to the soldiers and they giving their powers of attorney to collect it in the royal treasury of this city. But during the last twelve or fourteen years, on account of conveniences which the señores viceroys and their advisers encountered, a paymaster was appointed, drawing as salary the interest on the part that was paid in clothing to the soldiers. The said paymaster was required to make the said payment to the soldiers in the villa of Sinaloa, the money and clothing being carried to that presidio. In each method of payment advantages are found, among which it is pointed out that when the entire pay of the soldiers is made altogether in money it stimulates trade and barter. The fact is, however, that in a province so out-of-the-way, so lacking in Spanish people and in goods and material for trading it can have very little commerce if actually the discovery [exploration] of the Californias and of pearls do not stimulate it—especially in case pearls may be discovered to be profitable, of which there are hopes. In this matter your Excellency will be able to order and decree that which you deem most appropriate according to the indication of the conditions.

We come now to the eighth and last article and point which his Majesty orders to be examined for the purpose of ascertaining whether it is the

proper time to make a division of bishoprics among the missions of Sinaloa and those of New Mexico, where are the padres of Saint Francis, all of which to-day are included in the diocese of the city and bishopric of Durango, and whether it will be well to establish *doctrinas* in which the royal patronage may be safeguarded. To this we reply that at the present time it appears impossible to make the division of bishoprics, because there is no city or place where a cathedral church may be erected. For, in all these provinces from the city of Durango to New Mexico there is no village or settlement for a cathedral church nor anything with which to support it, and likewise in New Mexico we believe that the same is the case; concerning this the Franciscan fathers who are in that province can give testimony. If we go by the other mountain range from the city of Durango to Sinaloa there is still no place, settlement, or village suitable for establishing an episcopal seat nor a parish district for one. As regards the reduction [establishment] of *doctrinas*, we have already created those at the missions where the members of the Company administer by order of his Majesty and the señores viceroys. Without such an order neither *doctrinas* nor reductions are permitted, nor do we know what others may be established among these people, who are unable to pay perquisites, and, on the contrary, must themselves be supported, as has already been said.

Finally, and by way of conclusion to this report which your Excellency orders us, the members of the Company, to make with reference to the points of the cedula of his Majesty—in which the charge is made against us that in these missions we have more than one hundred thousand head of cattle and many fruits of the land produced by the labor of the Indians—we feel obliged to inform your Excellency that the fruits which the Company has harvested in administering the five missions that are named at the beginning, first and principally are: the deaths at the hands of the barbarians—cruel and violent deaths—and the shedding of their blood for preaching the gospel in these missions of this kingdom of New Spain of eleven fathers of the Company, eight among the Tepeguanes and three in Sinaloa, besides two others who for the same cause were wounded with arrows in the same province and even to-day are suffering from the wounds, which were made with arrows poisoned with an herb that is certain to cause death when it is fresh, even though the wound be at the extremity of the foot. This is what compels the soldiers in the skirmishes that occur with hostile nations to use defensive armor even for their hands. As for the fathers who live principally among nations new in the faith and on the frontiers of other heathen Indians, the dangers which they experience are without number, as are also the sentences of death which they hear, not to speak of innumerable other troubles from which they suffer—namely, being separated from their brothers and colleges and the comforts that they might have in them; dealing with a barbarous people, some of them so fierce that it is like going among tigers and lions; and, in order to pacify them, being obliged often [to build] with their own hands their churches and the houses in which they have to live, since these people knew nothing of such works; and suffering hunger, thirst, and intolerable heat. These, Sir, are the harvests which the fathers of the

Company have had in these lands, and they console themselves with the thought of so many souls of both children and adults who are saved through their sacrifice. And we of the Company of Jesus, vassals of his Majesty, the king, our lord, are very sure that we are doing him a very acceptable service in reducing to his royal crown these people, and in keeping peace and in preaching the gospel among them, because everything contributes to the great increase of the riches of earth and of heaven, which we, his vassals and sons of the Company of Jesus, desire for his Majesty. Thus we reply in this college of Mexico, September 12, 1638. ANDRÉS PÉREZ, LUIS DE BONIFAZ, GASPAR DE NAJARA, MARTÍN DE GURROLA [*sic*], JUAN ACASIO, LAURENCIO ADAME, DIEGO DE AZAVEDO, ANDRÉS LÓPEZ, JUAN DE ARDEÑAS, JUAN ÁNGELO BALESTRA, PEDRO MÉNDEZ.

Decree. Mexico, September 22, 1638

Let this report be placed with the cedula of his Majesty and also the record of whatever argument is advanced concerning whether it is desirable to establish bishoprics in the province of New Mexico and that of Sinaloa, in order that when the other reports arrive that action which is proper may be taken. By order of his Excellency. DIONISIO DE SUESCUN.

[Order of the Marquis of Cadereyta. Mexico, August 7, 1638]

Don Lope Díez de Armendáriz, Marquis of Cadereyta, of the *Consejo de Guerra* of his Majesty, his major-domo, viceroy, lieutenant governor, and captain-general of this New Spain, and president of the audiencia and royal chancery which resides there, etc. Inasmuch as his Majesty was pleased to issue a royal cedula of the following tenor. . . .³³

In order that that which his Majesty commands in the enclosed cedula shall be carried out and put into execution, by the present I request and charge Father Fray Juan de Prada, of the Order of Saint Francis and commissary-general in these provinces of New Spain, and, in his absence, the person who may be substituting for him, that [for the consideration of] what relates to the provinces of New Mexico he assemble the religious who have been there and are now at this court, and, having conferred on the statement made in the said cedula, and on what his Majesty orders in it, that they shall inform me in writing within two months concerning the advantages or disadvantages that may result to the service of God and his Majesty by the fulfillment and execution of the said cedula in the said provinces, with whatever else that may occur to them looking toward the same purpose. Done in Mexico, August 7, 1638. The Marquis of CADEREYTA. By order of his Excellency. DIONISIO DE SUESCUN.

³³ The cedula referred to is that of Dec. 23, 1637. It is printed *supra*, pp. 94-95, and for that reason is omitted here.

✓ *Petition [of Father Juan de Prada. Convent of San Francisco, Mexico, September 26, 1638]*

Most Excellent Sir: I, Fray Juan de Prada, commissary-general of the provinces and *custodias* which the Order of our father, Saint Francis, has in this New Spain and its confines, declare that, in obedience to the command by request and charge which your Excellency was pleased to send me, enclosing with it a cedula of his Majesty issued in his royal Council of the Indies on the 23d of December, 1637, which resulted from a letter which the señor bishop of Nueva Viscaya wrote to his Catholic Majesty, the king, our lord, desiring, with his accustomed zeal, to have full and complete information on the matters which were proposed to him in the said letter, issued his royal cedula [to the effect] that an investigation should be made, by persons of entire reliability and experience, concerning that relating to the spiritual and temporal state in which the provinces of Sinaloa and New Mexico now are, this to be done with the care that is due to the service of a king so Catholic who on his shoulders bears the greatest monarchy that any prince has ever seen—on these shoulders being borne at the same time also the responsibility of the Church, and who, by the order of his religion, desires to preserve its prosperity.

Complying promptly with the order of your Excellency, and with particular care and diligence, a meeting was held of many venerable religious who have complete knowledge and information of these matters, through having lived in those provinces for many years and through having noted with great care the climate and nature of all that country and the state of its people, not only what they to-day enjoy in spiritual and temporal matters but also what is the state in which they were when the discovery was made by these Orders and the first light of the gospel reached them. The principal persons who have given me information so that I may make with greater clearness and accuracy this report to your Excellency are Father Fray Roque de Figueredo, father of this province, Father Fray Isidro Gordones, Father Fray Tomás Carrasco, Father Fray Gerónimo de la Llana, Father Fray Andrés Gutiérrez, Fray Father Tomás Mauzo, and others who on account of being absent from this court, have sent me their sworn statements. In order that they may be most free from suspicion they have given their opinions under the merit of holy obedience, this of course without exceeding or failing in the smallest point of the truth. Having carefully considered the points of the said royal cedula concerning which your Majesty wishes to be informed, I reply as follows:

The cedula of his Majesty, Sir, contains two parts. The first asks for explicit information and full knowledge concerning the present state, both temporal and spiritual, of the provinces of Sinaloa and its confines; and the second part of the said cedula asks for the same information concerning the provinces and conversions of New Mexico. With reference to the first part, on account of the Order of our father, Saint Francis, not having in the district of Sinaloa any *doctrina* or authority I am not able to give to your Excellency a statement concerning that which in the said cedula it is

endeavored to ascertain. Thus I will be able only to reply to the second part, relating to the conversions of New Mexico. These the religious of my Order administer to and to them they gave the first news of the gospel something like forty-two years ago, without any other establishments having been erected in those lands and without any other spiritual workers having entered to cultivate that grain. For this reason only my religion [Order] and its sons are able to speak as eyewitnesses, not only of the provinces that are to-day converted and subjected to the gentle yoke of the gospel, but also of many others adjacent to these where the fervor of their spirit has urged them to go, not sparing themselves dangers or fatigues. According to information which has been had, when God, our Lord, may be pleased for the hour to arrive, very rich fruit is expected, on account of the multitude of widely scattered nations that inhabit those spacious regions being very large. Of all of this it will be necessary to give your Excellency information concerning both the country and its nature and its extent. In order to proceed in this report with entire clarity and accuracy, the points mentioned in the said royal cedula, and upon which reliable information is requested, are as follows:

First, what sort of country is New Mexico in extent and nature? Second, whether it will be desirable to establish and cause to be safeguarded the royal patronage among those Indians, imposing upon them some tribute as vassals of his Majesty. Third, if it will be opportune to divide bishoprics and compel the parishioners of those settlements to pay tithes. In the decision of these articles the information and description given of all that country will be set down, both as regards its temporal as well as its spiritual state. With this the object of his Catholic Majesty will be fulfilled and your Excellency's command to me obeyed.

The first article lends itself to a discussion of the location, extent, and nature of the land of New Mexico and the nations that inhabit it. The settlement of New Mexico is situated four hundred leagues from this city and court, in a northerly direction, in 37 degrees north latitude. Its territory begins two hundred leagues before that, namely, in the valley of Santa Bárbara, the last town of New Spain.³⁴ This division the River Conchas [Conchos] makes, being so called because its banks are inhabited by a nation called Concha [Concho]. Going on from here in the direction of the north for a distance of one hundred leagues various nations are encountered of very fierce and intractable people who, without having houses or any plantings live in the woods and are armed with bows and arrows. With these nations those who journey to New Mexico have constant fights. Having passed these hundred leagues there is reached the famous Río del Norte—a name which they give it because its copious currents have their origin in that direction. Having reached this river in that direction, then, the pueblos of New Mexico begin on both of its banks, at a greater or less distance from them.

The shape which all that which is settled has is that of a cross, and, counting from south to north—the first nation being that of the Pira

³⁴ Concerning the claim that New Mexico extended as far south as the Santa Bárbara region see I: 208, note 61, of this series.

[Piros]—from the pueblo of Senecú to the last pueblo of another nation called Taos there are seventy leagues, but, counting from east to west, from the province of Las Salinas to that of the Moqui, there are one hundred leagues of travel. In this district many pueblos had been founded with houses of two or three stories and entirely of adobe, where the native Indians live according to their custom, as in an organized state, subject to their captains and chiefs. The people that may be counted to-day in these settlements will total forty thousand or a little less, for, although there must have been more than sixty thousand baptized, to-day those conversions are diminished to that extent on account of the very active prevalence during these last years of smallpox and the sickness which the Mexicans called *cocolitzli*.

These Indians are notably poor and live a wretched life, for their entire property is limited to the raising of a little cotton, from which they weave the blankets with which they clothe themselves and which they sometimes exchange for buffalo and deer skins which the unconverted Indians are accustomed to bring, who live adjacent to our people and with whom they maintain peace, although always insecure, because these people do not keep their word.

In all this district there is only one settlement of Spaniards which is called the villa of Santa Fé. There the governors reside and the rest of the inhabitants have their homes. These now number something like fifty—although there must be about two hundred persons. These Spaniards occupy themselves in bearing arms in defense of the reduced Indians against the barbarous and ferocious heathen who are in the habit of making attacks upon them. They serve also in putting fear in the subjected ones in order that they may not rebel and forget their obedience to the king, our lord, as well as to their ministers of instruction.

The trade of these people is consequently slight, and they neither buy nor sell nor is there any commerce in all their land, nor any kind of money in circulation. Thus there is neither barter nor trade except in the exchange of some articles for others, this being the sole commerce of these people.

The establishment of all these pueblos has been accomplished only by the industry and management of the religious, and with no little effort in reducing these people, who formerly lived, according to seasons, in different rancherías. In the most important of these pueblos thirty convents have been built, in addition to many other churches in the smaller villages which are called *visitas*. From these convents fifty religious of my Order [go forth and] administer, without giving way under the labor or yielding to fatigue. His Catholic Majesty, through the señores viceroys, supports them from his royal treasury, and sends from this City of Mexico for their ministry, wax, oil, and wine. With this aid for expenses their labors and operations in the service of the two Majesties, Divine and human, have been marvelously fruitful, for not only have they taken from the devil the control over as many souls as have been baptized and reduced to the bosom of the Church, but idolatry has been banished and only the true Lord of earth and heaven is worshipped. Furthermore, where there were nothing other than the ceremonial chambers of barbarous idolatries to-day temples

may be seen that are frequented by Christians, who acquaint themselves with the Christian faith and good customs. Likewise the boys learn to read and write, and they are taught to sing with such good success through the work of those servants of God that it is quite marvelous that in such a short time so many choristers, chanting to the accompaniment of the organ, may be heard and that in such a small church divine worship is celebrated with so much care and devotion.

And although of this work, so heroic, God, our Lord, is the chief author and the prime mover therein, to whom we owe infinite thanks, they are also due to the Catholic Majesty of our lord and king, whose prestige contributes greatly to the welfare of those unfortunates. For, without his royal aid those new Christians could not have been sustained. His Majesty [really] reserves the full merit for those conversions; to his empire and monarchy the Apostolic See granted them, when in the bull of Alexander the Sixth, in the name of God, our Lord, the right dominion over those kingdoms were given to it, cognizance thereby being taken of the great zeal and care with which that empire and monarchy supports in those kingdoms the ministers of the gospel.

With reference to the characteristics of the land of New Mexico, the temperature ranges by extremes: the winter is very rigorous, with excessive cold and snow, to such a degree that the rivers are accustomed to freeze over. On the contrary the summer is intolerable by reason of excessive heat. Then land is very fertile, and produces abundantly of everything that is sown in it—maize, wheat, cotton, etc. It has many rivers in which are fish in great abundance. In the mountains there is unlimited opportunity for hunting various and different animals. It is likewise a very suitable country for raising both cattle and sheep. Mines of gold and silver are not lacking in that country, as is evident from the experience that has been had with metals that have been brought from there, but up to the present no mine has been worked there because of the unfitness and poverty, not only of the Indians but also of the Spaniards. This statement, most excellent Sir, is the best that can be made concerning the chief facts about New Mexico, reference to other things being omitted in order not to make this report too long.

Article II. Whether it will be desirable to establish reductions and *doctrinas* in New Mexico, and whether in them the royal patronage may be instituted and safeguarded, and whether the Indians may pay some tribute to his Majesty. In order to give the prompt attention that the case requires, it is indispensably necessary to describe the temporal state in which are now found those converted nations, which, by reason of holy baptism, are recognized as obedient sons of the Church, and, with reference to dominion and vassalage, are called subjects of the Catholic king of Spain and regard him as their master and lord, giving obedience to his laws. The political status of those new vassals is that of being subject in everything to the governor who, by authority of his Majesty, your Excellency is pleased to appoint for them. He, by the same royal authority, has orders to give in *encomienda* the pueblos of the Indians to the Spaniards who may assist in those conversions. Thus, in conformity with the royal ordinances, the

Indians are apportioned among their *encomenderos*, whom they recognize, and each household of Indians pays to him each year, either as tax or tribute, one *fanega* of maize, which in that country is valued at four *reales*, and also a piece of cotton cloth six palms square, which is reckoned in price at six *reales*. But it is necessary to note that although it was stated above that about forty thousand baptized persons are administered in those conversions, yet the tributes do not to-day reach the number of eight thousand, because the tribute, according to the provisions up to the present time of the royal ordinances is not collected according to the number of persons but according to the poll and the list of houses, and in each one of these are three or four married Indians. Generally, there lives in each house a group of relatives, and, according to this method, a house counts as a source of tribute and from them the said *encomenderos* collect every year the maize and corn that the Indians are required to give.

These *encomenderos* are under obligations to participate with their arms and horses in the defense both of the natives as well as of the religious who are in the frontier pueblos and live in constant danger from the Apache Indians. These are a very warlike people, who live in rancherias in the environs of the converted pueblos, against which that nation [the Apache] makes continuous attacks. Thus, in order to guard against these attacks, soldiers are always provided, and in times of special danger they are accustomed to hire others to assist them to form convoys, and for this they give them, at their own expense, arms and horses. All these soldiers of New Mexico receive no other pay from his Majesty nor do they receive any salary other than the contribution referred to which each one collects yearly, according to the income from his *encomienda*.

From what has been said it follows that the Indians of New Mexico pay as vassals to the king, our lord, tribute to the value of ten *reales*, which is not of slight significance among so new a people who live in such poverty as we have described. Indeed, their wealth consists of nothing more than a little maize to eat, and cotton in order to clothe themselves, not extravagantly but just enough to cover their nakedness. With this the article with reference to whether it would be right to compel these Indians to pay tribute to his Majesty is answered, for in truthful reality it is answered that they are paying it already. For, although these tributes do not find their way into the royal treasury, the king, our lord, who is the lord of these tributes has [in fact] applied them to the pay of the soldiers which he has in that presidio. If your lordship is endeavoring to learn by the article and clause of the royal cedula whether it will be right to compel those Indians to pay another and new tribute to his Majesty, in addition to that which the *encomenderos* collect, it does not seem either right or possible, since it will be imposing upon them a greater contribution and tribute than that paid by the Indians of this New Spain. For [there] in the towns that are given in *encomiendas* the natives pay tribute only to the *encomenderos* and not to his Majesty.

And disregarding other disadvantages that would arise from increasing this burden on them, the probability is very great that in case these people, being new in the faith and of poor intelligence, should see themselves

oppressed with new impositions and annoyances, it would necessarily result in much trouble to the ministers to whom their collection would be entrusted, and some break in their staunchness and subjection might be feared. Moreover, seeing themselves burdened with the obligation of paying new tributes, they might become disgusted with the Catholic religion in which their spiritual fathers are instructing them and they might return to the freedom of heathendom and the rites of its idolatries.

This fear it seems the king, our lord, with his most Christian zeal, has given consideration to in his royal cedula, for in the last clause (in which he entrusts its execution to the prudence and judgment of your Excellency) he urges everything to be carried out with such care as may be necessary, and, assigning fear as the cause of his royal solicitude, warns that natives shall not be disturbed. This apprehension cannot be called pretended, supposititious, or imaginary, for those nations are so innocent in the faith and so new in their subjection to the king, our lord, that they have not yet entirely lost the habits of heathen nor their love of a life of liberty, without subjection to any lord or king. And experience has shown the force of this truth, namely, that upon the slightest occasion of annoyance with the soldiers some of the baptized Indians, fleeing from their pueblo, have gone over to the heathen, believing that they enjoy greater happiness with them, since they live according to their whims, and in complete freedom. Therefore the religious, who have known the native Indians and have noted their tendency to throw off the yoke of whatever subjection, make a particular point of attracting them with gentle treatment and retaining them with praises, trying to relieve them of all physical labor. With this gentle treatment they lead them to acquire an affection for the things of the Church and everything connected with divine worship and the sacraments. Of all of this they would find themselves defrauded if the Indians should lose this love for their ministers through seeing themselves burdened with taxes because of being Christians.

In view then of this disadvantage, Sir,—although no one can doubt the affection with which the religious of our father, Saint Francis, are endeavoring to excel in demonstrations of loyalty and to reveal themselves as faithful vassals of the Catholic majesty of our king in desiring to extend his kingdom throughout the whole world, an occupation in which they have been entrusted with the most brilliant commissions for more than four hundred years, exercising themselves ceaselessly in promoting the advancement of his empire and in serving as chaplains of his royal house and its predecessors, with all of which they are not content, [even] in reducing to his submission all the nations of the world, and measuring the means and strength of those whom they have reduced in New Mexico—there would [seem to] be neither opportunity nor convenience in requiring those Indians to pay to his royal Majesty another tribute in addition to that which they are to-day paying in accordance with his royal ordinances. It may be to the greatest interest of his prestige to keep them in the shelter of the evangelical law, through whose protection those souls possess the spiritual treasures of the Church.

Concluding (most excellent Sir) with reference to this point the greatest convenience to be noted with respect to it is that, if his Majesty be pleased, the time is not opportune, as long as events may not show any other reasons for it than that of adding at the present time more tributes than those which those nations pay to their *encomenderos*. For with this tribute the royal authority over them is secured and they are made vassals of that monarchy.

Article III. Whether it is opportune to establish a bishopric in New Mexico and to require the parishioners to pay tithes.

The last point on which his Majesty desires to be informed is with reference to the division of bishoprics and the erection of new episcopal churches to whose prelates the parishioners shall pay tithes. From what has been said in the preceding paragraph the decision concerning what is asked may easily be inferred, yet, for greater clearness, it is necessary to record, as a thing beyond doubt, that the obligation of paying tithes according to quota (that is, that the tenth part of products be paid) is not a natural right, nor is it divine gospel, but only is it an ecclesiastical requirement, continued by ancient custom since the time of the apostles, and it ought to be paid to the persons who hold the ecclesiastical benefices. Although in New Mexico there is neither a bishop, nor curate, nor beneficiary to whom they are due, because that country to this day is not definitely subject to any episcopal diocese of all those that have been established in this New Spain, nevertheless the Spaniards who live in that land pay tithes, as an acknowledgment to the Church, from the grain that they gather. This, by custom, is given to the religious who is the spiritual custodian and prelate of all those provinces. By his order it is distributed to some convents that are situated in sterile places and lack water—for which reason wheat cannot be sown in their districts. For [it must be remembered] that in that land wheat is raised by irrigation and none by natural rainfall. Of these tithes it is customary also to make an apportionment among poor Spaniards of the villa.

The amount of this grain (tithes are not paid in anything else, because the cattle which the Spaniards have are few and thus the tithes are chiefly paid in wheat) will total three hundred *fanegas*, the highest price of which is eight *reales* per *fanega*. From this it appears that the value of the tithes that are paid in New Mexico does not exceed three hundred pesos of the money that is current in this kingdom. As regards the Indians, no one doubts that they are free, by royal decrees, from paying tithes from the products native to their land, such as maize, beans, cotton, and other products. This is particularly evident from a cedula issued by the prince at Valladolid on August 8, 1544, and is in a printed book of cédulas³⁵ relating to the Indies, page 149, which Juan Beltrán, clerk of the secretary, Luís de Tovar Godines, has in his keeping.

³⁵ Reference is to Vasco de Puga, *Provisiones, Cédulas, Instrucciones de su Magestad . . . para la Administración y Governación de esta Nueva España . . . desde el Año 1525 hasta . . . 1563*, I (Mexico, 1563). This work was reprinted in Mexico in two volumes in 1878-1879. The document referred to above is in the last-mentioned edition, I: 459-460.

And although they are obliged to pay tithes on [grain raised from] seed brought from Spain, such as wheat, and on silk and cattle, up to to-day the Indians of New Mexico do not control these grains for themselves nor do they hold any of it as individual property, for that which they plant is on the farm-lands of the Spaniards, where they are paid for their work. Also, through the care of the religious, they plant these grains for the support of the convents, and for the same purpose they also raise some cattle, because the necessity of obtaining a livelihood compels them to take this precaution, since if they did not do so it would be practically impossible for them to live, because from the administration of those Indians the religious do not receive any pay or emolument, nor do they enjoy any perquisites or any offerings. On the contrary each religious, in his district, supports many of his parishioners, especially in sterile years, when they generally have short crops, and in winter, when they find themselves without anything to eat, for those people naturally are more inclined to hunting game than to the cultivation of the land. Therefore it is necessary to compel them to plant.

The religious also have need of this grain for the support of the house domestics and the officials of the Church, for usually they give food to all of these. Therefore, the country of New Mexico and its people being in the state described, there does not seem to be either the possibility or the opportune time for erecting a cathedral church in those parts or for establishing an episcopal seat there. There is no town suitable nor is the parish large enough to be able to support the pomp of a bishop, since the tenth part of their products which the Spaniards pay is very limited and from the Indians no income can be obtained, partly because they are not obliged to pay tithes and partly because, on account of their inability and poverty, they are not able to make offerings. Everything taken into account, it would not be sufficient to provide a moderate sustenance for a curate.

Neither does it seem that it would be appropriate to place that whole country under the bishopric of Durango. On the contrary there are many good reasons why those conversions should continue to enjoy the exemption that they have to-day. For the first settlement of New Mexico, namely, the pueblo of San Antonio Senecú, is distant from the city of Durango, the episcopal seat, more than two hundred and fifty leagues and the greater part of the way is unsafe and manifestly dangerous on account of being inhabited by barbarous and intractable nations who openly attack travelers with bows and arrows. Therefore, it is necessary to travel in groups, with cavalry escort, through more than one hundred and fifty leagues of the district and to be very much on the alert. From this it clearly follows that in view of such known risk none of the señores bishops of Durango would wish to expose himself to this danger or to visit that country, even though it should belong to his bishopric. For this reason he would only have the title of bishop of New Mexico, and those new Christians would never come to enjoy the spiritual favors of his high office. As a result, having a bishop would be the same as not having one.

Not having a bishop in that country does not cause any detriment whatever to those Christians by depriving them of spiritual privileges, for in those provinces the custodian and prelate of the religious has plenary authority, granted by the apostolic grant, and repeatedly conceded by many briefs of the highest pontiffs. They [the custodians] are able to give absolution and to absolve in all cases in which the señores bishops are privileged to do so, and to administer the sacraments, even to that of the confirmation of the newly converted. From this it is gathered that for the ministry of that body of Christians there is not lacking to them any spiritual aid.

And since it does not appear possible that the señores bishops will go personally to visit those flocks of the faithful, even though they should be assigned to their district, it would give rise to unavoidable difficulties if it should be attempted to send *visitadores* in their name. For, besides its not being possible for the said *visitadores* to carry the same authority as the bishops but, on the other hand, even less than the authority which the custodians exercise there, it would necessarily happen that the change would produce commotions. Since those Indians do not know any other spiritual fathers than the religious of our father, Saint Francis, by whose teaching only they have been catechized and have received the light of the gospel, in case that some other ecclesiastical authority should enter there would be contentions and murmurs concerning jurisdiction. And any disturbance, however small, would be a notable injury and of great detriment to that Christian group, since it would be necessary, in connection with the investigation of it, to repair to this court and report to the señores viceroys concerning any occurrence whatsoever. By requiring eight hundred leagues of travel, going and coming, the remedy would be impossible and the danger would be aggravated.

In complying satisfactorily in this report with that which your Excellency commands me, this is, most excellent Sir, the most definite statement that can be made concerning the points contained in the cedula of his Majesty. In every way due regard has been had for the truth and conferences have been held with all the fathers who had assisted for a long time in those conversions, each of them [giving his opinion] according to the dictates of his conscience. They assure the king, our lord, and your Excellency that they hold this opinion concerning the present state of the conversions of New Mexico and the spiritual and temporal condition of those Indians who in such remote regions recognize as their king the Catholic monarch of the two Spains. This gain in the service of both Majesties has been attained through the Order of our father, Saint Francis, which, in forty-two years of conquest and discovery, has endeavored with notable zeal to spread the news of the gospel through all the world, and in particular in this province by means of its sons. We, without fear of hardships, have exposed ourselves to such manifest perils of losing our lives, and have spent much temporal wealth in order to gain eternal life for those barbarous people—possessed of the devil from the time that God created them until these Catholic ministers took to them the knowledge of the true God by their teaching. We trust in his sovereign mercy that even

though those settlements to-day are small and humble they must serve as a stepping-stone and door for the reduction of other larger nations, through whose greatness the Spanish monarchy may enjoy increased wealth, and Christianity great advancement. May God, our Lord, dispose of this matter to his greater service and may He guard your Excellency, as I and all those of my Order, his chaplains, pray that He may. From this convent of San Francisco de Mexico, September 26, 1638. Fray JUAN DE PRADA, commissary-general.

Decree. Mexico, September 30, 1638

Let it be placed, as presented, with the other papers and with the decision. By order of his Excellency. DIONISIO DE SUESCUN.

Petition [of Alonso, bishop of Durango. Durango, October 12, 1638]

Most Excellent Sir: Your Excellency was pleased to order that the bishop of this Nueva Viscaya and the dean and the *cabildo* of this holy church of Durango should make a report in regard to the royal cedula enclosed in a despatch from your Excellency, dated August 7, 1638, the tenor of which is as follows: Don Lope Diez de Armendáriz, Marquis of Cadereyta, of the Council of War of his Majesty, his major-domo and captain-general of this New Spain, and president of the audiencia and royal chancery which resides there, etc. Inasmuch as his Majesty was pleased to issue his royal cedula of the following tenor. . . .³⁶

And in order that that which his Majesty commands in the enclosed royal cedula may be fulfilled and executed, by the present I request and charge the bishop, dean, and *cabildo* of the holy and cathedral church of the city of Durango, Nueva Viscaya, to favor and aid in every way that is necessary, and to report to me upon what they have decided in regard to the matters referred to in the said royal cedula; and that they send me a certified copy of the *autos* that may have been made, or may be made, for their better justification and understanding. Done in Mexico, August 7, 1638. The Marquis de CADEREYTA. By order of his Excellency, DIONISIO DE SUESCUN.

In response to this it appears that the points to which answer should be made are five, the first of which relates to the payment of tithes. There are in that province of Sinaloa two kinds of workers—one of Spanish seculars, and through them, who are the most worthless, tithes are paid to this holy church which usually amount to three or four hundred pesos. The others are those of the college of the Company of Jesus which [is] in the villa of San Felipe y Santiago, capital of that province, and through them tithes are not paid because such action depends [upon the outcome] of the suit which is now in progress between the churches and the regulars.

As to whether it is fitting that those Indians shall pay some tribute, this *cabildo* has no information [leading it to believe] that they should pay it

³⁶ The cedula in question is that of Dec. 23, 1637. It is printed *supra*, pp. 94-95, and for that reason is omitted here.

at present. And, in view of the fact that they are a miserable people and newly converted, and that each day many more are being reduced to our holy faith, it would be best if, for the present, his Majesty would be pleased to desist from requiring them to pay tribute, especially since other nations which have been reduced for a much longer time and are situated nearer to this city do not pay it—such as the Tepeguanes, Xiximes, Acaxes, and others.

It is very proper that the pay of the soldiers of that presidio should be in money, and payment could best be made in Sinaloa or at least in the royal treasury of Guadiana. In this way his Majesty would be excused from sending this amount of money, and especially would he be spared the salary of a paymaster, for the royal officials could attend to this office and the payment [of the soldiers] as they do in the other presidios of this kingdom. This would leave the trade of that province to be carried on freely by those who enter and leave it.

As to the establishment of *doctrinas*, this *cabildo* has no information [leading it to believe] that they can now be established in the two said provinces of Sinaloa and New Mexico. On the other hand every day new ministers are needed for new conversions, and the said province of Sinaloa has been visited by the bishops of this holy church, the superior, Fray Gonzalo de Hermosillo, who died in that province, and Doctor Don Alonso Franco y Luna, who at present governs this holy church, and who confirmed a large number of natives.

The province of New Mexico is distant from this city more than three hundred leagues. The distance is so great that it seems to this chapter that, notwithstanding the fact that it falls in the district of this bishopric, in conformity with the demarcation which was made at the time of its division, which runs as far as the North Sea, it would be advisable to place there an abbot for confirming and in order to issue minor orders. He would be supported by the tithes collected in the said province, which, as has been learned from trustworthy persons coming from there, amount to two thousand pesos. These persons say that they are enjoyed and collected to-day by the religious teachers, but without this chapter having learned or understood by what title they enjoy them. Done at Durango in the hall of the *cabildo* on the 12th day of the month of October, 1638. ALONSO, bishop of Durango; Doctor FRANCISCO SAIS DE ESPINOSA; the licentiate, FRANCISCO DE ROJAS; all present before me, PEDRO DE LEÓN ANDRADA, secretary of the *cabildo*.

Decree. Mexico, December 20, 1638

Let this be placed with the reports made by the Order of Saint Francis and the Company of Jesus and let them all be taken under advisement.

Decree. Mexico, December 29, 1638

To the *fiscal* of his Majesty with the cédulas for which there may be need, together with that which he should say in the *real acuerdo*, where, after deliberation, I shall inform myself concerning what is most desirable in order that I may be able to report with all certainty to his Majesty.

Petition [of Doctor Andrés Gómez de Mora. Mexico, January 9, 1639]

Most Excellent Sir: The matters referred to in the cedula of his Majesty which is at the beginning of these *autos* are of such importance that in order to be able to inform his Majesty of more than the measures taken I beg that your Excellency will command that the former governors of New Mexico, Sinaloa, and Viscaya shall read the said cedula and, in writing, give their opinion, in case they are in this city—as regards New Mexico, Captains Francisco Martínez de Vaessa³⁷ and Don Francisco de la Mora;³⁸ with respect to Sinaloa, Don Pedro de Perea and Don Francisco de Bustamante;³⁹ and, as for Nueva Viscaya, Don Gonzalo de Casaos [*sic*].⁴⁰ These men, as persons who have been in those parts, will state the advantages or disadvantages that may follow from introducing what is referred to in the said royal cedula. Your Excellency will decree that which is most fitting. Mexico, January 9, 1639. Doctor ANDRÉS GÓMEZ DE MORA.

Decree. Mexico, January 19, 1639

Let it be done as the *fiscal* of his Majesty asks, and let those who are mentioned say, each one for himself, that which occurs to him on the subject, swearing to and signing his report before a public or royal notary who will certify to it. Let them comply with this within six days from the day of notification.

Petition [of Don Francisco de la Mora. Mexico, February 4, 1639] ✓

Most Excellent Sir: In fulfillment of the decree of your Excellency and of that which his Majesty commands in his royal cedula, I will state that which occurs to me in the light of the experience that I have [had] in the provinces of New Mexico and what I saw and came to know during the three years that I had its government in my charge.

I declare, most excellent Sir, that in some *doctrinas* I saw that they had some sheep and cattle, but always I heard it said that they were the property of the natives themselves, and I cannot say with certainty a thing to the contrary. As regards that holy *custodia* being erected into a bishopric, it is a known fact that it is appropriate so to do but with the understanding that it be done by putting both its secular and ecclesiastical government for some years in charge of the one who may be bishop, for, in that way, those provinces would advance. He, through his concern in the tithes, will oblige the natives to fence their corn fields and planted fields,

³⁷ See note 4, *supra*.

³⁸ See note 3, *supra*.

³⁹ H. H. Bancroft (*The History of the North Mexican States and Texas*, San Francisco, 1884, I: 231-232) says that Captain Perea "held the command [in Sinaloa] from 1626 to 1640. Captain Francisco Bustamante signed himself in 1636 lieutenant-governor and captain of San Felipe presidio; but this is all we know of his rule. . . ."

⁴⁰ Evidently a miscopy for Gómez de Cervantes (see "Opinion of Don Francisco Gómez de Cervantes," *infra*, pp. 124-126). H. H. Bancroft (*op. cit.*, I: 303) says that Gonzalo Gómez de Cervantes was governor of Nueva Vizcaya from 1631 to 1633.

and this will be feasible. As a result, the royal pasture lands will remain unused, and cattle will be pastured in the center of the provinces. This is something which up to this time, has presented difficulties, as a result of certain orders which have been issued by the señores viceroys forbidding the inhabitants to establish *estancias* in the vicinity of the corn fields of the natives, who sometimes start to plant some corn fields in reserved parts, thereby to prevent the establishment of *estancias*. This is a general mistake, because in the first place, it makes it necessary generally for the cattle to wander off and live on the grass in the territories of the wild Indians, with the result that they have an opportunity to kill them and drive them off in their raids, and yet the life and preservation of those provinces depends solely upon the raising of cattle and the crops; the latter are so limited that each inhabitant scarcely raises enough for himself. I judge also that by this means other disadvantages will cease which ordinarily present themselves in that country and by which the two Majesties are not well served. On account of these being so well known I omit mentioning them. His Majesty will be put to very little extra expense in the matter, namely, the two thousand pesos which is what the salary of the governor amounts to, and the two wagons which will be given him as *ayuda de costa* for carrying his *mamalotaje* from this New Spain. It is possible to assume that for the said bishop the income from the said tithes, well administered, will undoubtedly yield two thousand pesos, and in a few years, by using the said means, they are bound to increase greatly because the land by nature is very fertile. This is my opinion. Your Excellency will take such measures as please you. Mexico, February 4, 1639. DON FRANCISCO DE LA MORA.

Decree. Mexico, February 7, 1639

Let this be placed with the *autos* made concerning this matter and that which is provided.

✓ *Petition [of Francisco Martínez de Baeza. Mexico, February 12, 1639]*

Most Excellent Sir: I, General Francisco Martínez de Baeza, former governor and captain-general of the provinces of New Mexico, in fulfillment of what was ordered by your Excellency in a decree of the nineteenth of January of this year—in which you direct and command me in view of what is contained in a royal cedula of his Majesty, to make a report concerning whether it will be advisable to divide bishoprics and to establish reductions and *doctrinas* among the natives of the provinces of New Mexico and Sinaloa and to require them to pay tithes and some tribute: [also to report concerning] the character and fertility of the said provinces and the desirability of paying in money, rather than in clothing, the soldiers and religious who are at those missions—am of the opinion that what is best for the service of the majesties, human and Divine is as follows:

The province of Sinaloa, according to the information which I have [obtained] from persons well acquainted with it, is a land which produces abundantly both native grains and those of Castile and all kinds of cattle and sheep.

As regards the Indians there who are reduced to peace and orderliness and to whose instruction the religious of the Company of Jesus devote themselves, it seems to me that his Majesty would be served in excusing them from paying tributes and from other services. In this way those already reduced will be retained and the adjacent nations will be inclined toward our advances and toward peace with us and will come to the knowledge of our holy Catholic faith. This is the principal end sought by his Majesty in such conversions, with so much care and expense to his royal income.

It is desirable that the subsidies which his Majesty gives to the religious and the pay of the soldiers of those presidios shall be made in money, and in Sinaloa and by the royal officials of Durango. In this way the salary of a paymaster will be saved and the soldiers personally will buy what they need from whomever may offer them the best bargain. Furthermore, they will not be obliged to receive [their pay] in clothing, at prices fixed by interested parties. Also, in ordinary and usual trading they will not exchange goods for others of less value, which necessarily must cause them loss. All of this will cease if payment is made in money.

The provinces of New Mexico are distant four hundred leagues, a little more or less, from this city—two hundred of them [containing] settlements of Spaniards and of peaceable Indians, [and extending] until one reaches the mines of El Parral, which is the last settlement. The other two hundred leagues, traveling always towards the north, [extend] through unsettled country. It is a land that is very cold in winter and very hot in summer, [that is,] until one reaches the first settlement of the said provinces, which is the pueblo of San Antonio de Senecú. It is distant from the villa of Santa Fé, the capital of these provinces, fifty leagues—all settled with Indians reduced to our holy faith. In this distance there are ten or twelve farms of Spaniards, who plant wheat and maize by irrigating with water which is obtained from the Río del Norte. In the villa of Santa Fé, where the governors live, there are a few more than fifty inhabitants, with established homes and families, who form a moderate-sized settlement. In it is the principal convent of Señor Saint Francis. Further on, in the direction of the northwest, at a distance of seventy leagues,⁴¹ there are settlements of reduced Indians, to all of whom administer the religious of Señor Saint Francis. Sometimes the Indians at this distance are apt to become wrought up by slight occurrences. For this reason, the governors, for the security and protection of the religious, and at their request, maintain soldiers who may serve them as a guard.

There are perhaps in the entire [province?] and its settlements two hundred persons, Spaniards and *mestizos*, who are able to bear arms, as they do in defense of the converted Indians, who frequently suffer injuries from the neighboring Apaches. These are war-like and, as barbarians,

⁴¹ Reference evidently is to the Moqui, or Hopi, pueblos in northeastern Arizona. According to F. W. Hodge ("Notes," in Ayer, *The Memorial of Fray Alonso de Benavides, 1630*, p. 258) an expedition to found Franciscan missions among the Moqui left Santa Fé in June, 1629. The distance traveled on this expedition, by way of Ácoma and Zuñi, was eighty leagues.

make unexpected attacks upon them. To their defense the governors and [Spanish] inhabitants repair, punishing the Apaches severely. As a result the Apaches restrain themselves and the converted Indians are saved, for the Apaches see that the Spaniards defend them and that those are punished who disturb them. The said religious and the governors in all things do their part, each one in his own way, like good ministers and subjects of his Majesty.

The land is very productive of wheat, maize, and other grains native to it. They raise cattle and sheep as in Spain. There are many kinds of fruits from Spain and some native ones. The [Spanish] settlers and not the natives pay tithes of wheat, maize, cattle, horses, mules, sheep, and goats to the custodian of Saint Francis. In my opinion they will amount to fifteen hundred pesos, a little more or less. Because all those of whom I have spoken sow grain and raise cattle for their own sustenance, a *fanega* of wheat is worth a peso; a *fanega* of maize, four *reales*. Calves, colts, and mules are priced according to their ages, and goats and sheep at four *reales*. Because of not having money, the pay is computed in buffalo hides, deer skins, cotton blankets, and other products of the country. With reference to the reduction and division of *doctrinas*, his Majesty will do what is suitable to the service of God. The governors, through cédulas of his Majesty, apportion in *encomienda* the reduced Indians among the inhabitants, for their protection and better preservation, taking care that they may be given in *encomienda* according to the merits and services [of the said inhabitants] and in recognition of the many hardships and inconveniences they are enduring in holding the country. Each Indian repairs once a year to his *encomendero* with a *fanega* of maize, which is worth four *reales*, one cotton blanket a vara and a half square, which is valued at one peso, or, in lieu thereof, a raw buffalo hide or deer skin, either of which has the same value.

Each house is counted as a tributary, and, even though there may be a number of Indians in it, collection is made for but one. For this reason the contributions are small. His Majesty being pleased, in view of the land being very poor and the Indians reduced to his rule having neither a rancheria nor property, it seems to me that it would be conducive to his royal service to release them from paying the tributes. In that way they will be kept in their settlements long enough so that those that may be born in the future will regard their pueblos as their native land and may be inclined to acquire property. Furthermore the newly converted Indians may lose their attachment for their heathen state and may bestow it upon our holy faith. They will be very efficacious means toward this if they are released from new tributes and from any payments to his royal grandeur. This is what seems well to me, and thus I swear it before God and the holy cross, in due form before the present notary. Mexico, February 12, 1639. FRANCISCO MARTÍNEZ DE BAEZA. He signed before me and I swear that I know him. GERÓNIMO DE CASTILLO, notary for his Majesty.

Decree. Mexico, February 15, 1639

Let this report be placed with the *autos* and the other papers touching upon this matter and that decided upon.

[*Opinion of Don Francisco de Bustamente, Mexico, February 18, 1639*]

Most Excellent Sir: I, Don Francisco de Bustamente, former captain of the presidio and province of Sinaloa, declare that by order of your Excellency I was notified to make oath and to state what I think with reference to the matters and points of which mention are made in the royal cedula that was sent to me for this purpose. Having carefully noted and considered its contents, and being altogether guided by a full and accurate knowledge of the character of that country, of the nations converted to the faith and the barbarous ones that dwell in it, of the labors of the ministers who live there and cultivate it, of the possibility of imposing tithes and tributes upon them, of the wages of the soldiers of that presidio—and the best means of paying them—obeying the order given by your Excellency with the respect due to my conscience and the veracity of the oath that I have taken, and following for greater brevity and clearness the tenor of the royal cedula, which appears to set down as fundamental for the rest the fertility of the land, the great number of people, and the labors of the fathers of the Company of Jesus, its ministers—under obligation of the said oath—

I reply that as soon as I arrived at the town of Sinaloa, distant from this City of Mexico three hundred leagues and from Durango one hundred and fifty leagues, after taking possession of my office, in fulfillment of its obligations I made the appropriate visit and examination of the fort and presidio of forty-five soldiers and its commander, who for the quietude and peace of those nations, which are many and diverse, are kept and maintained there by the king, our lord, whom may God preserve, at the expense of his royal revenues. I began with the villa and the neighboring pueblos, where Christianity is now well established and where the Indians have a better organization in the settlements made at the cost of great labors on the part of their ministers. [The labor was great] because these people are more inclined by nature to live in unsettled districts and mountains, without taking more interest in their sustenance than hunting game of the forest with bows and arrows and caring for some fields of maize and pumpkins, made and worked along the banks of the rivers, where it is so essential to place them because of the dryness and scarcity of water in all that country.

They are manifestly exposed to danger from the floods, which often carry off not only the grain on the banks but also the poorly built huts of the miserable inhabitants, as, for an extreme example, in the past year of '34, thirty-six houses of the town were swept away, among them those of the government, which I built up again. At times the rivers extend so far out from their mother stream that there is danger even to the churches themselves. They, as well as the houses in which the fathers live, have been built with their own help and planning, in which they have made great

use even of the allowance with which they are aided by his Majesty and of the personal labor of the Indians, which, having no other workmen or artisans, it was necessary to utilize. It was also necessary to utilize their labor in planting a corn field for the community, to help in repairing the churches, and generally to provide for the sustenance of the people themselves, for they are so irrational that if they have good harvests they waste them, without providing for the famines when floods devastate the corn fields, and without holding anything in estimation except what they have before them. They make no corresponding return of favors for the benefits, either spiritual or temporal, which they receive from their ministers, who for decency's sake often clothe them, especially those employed near them and in the service of the church sacristies and choir and in other ministrations connected therewith, for these people are not in the habit of wearing clothing. This results from their extreme poverty and their naturally bad manners, although those who have been Christians longest pay attention to this and look for something with which to cover their barbarous nudity, observing the laws of Christian decency and the subjection and recognition due to the faith which they profess and to those who in the name of his Majesty administer justice to them. Although they are by nature bellicose and are liable, in case that they are treated with asperity and harshness, to make disturbances, the fathers of the Company of Jesus who minister to them do so with care, even, when it is necessary, inflicting punishment with love and charity, and in this way keep them in the peace and concord of good Christians.

In this, no little aid is given by those presidial soldiers who are stationed as a garrison at the town in Sinaloa called San Felipe y Santiago, capital of all that province, where the [fathers of the] Company of Jesus, without any pay or perquisites, administer the holy sacraments and serve as curates for the Spaniards and other people who as citizens abide in that villa. They all pay tithes from their small crops to the cathedral of Durango, without the college which the Company has there as the head of its missions receiving anything. As a result, for their maintenance and the benefit of all that country they have established a cattle ranch with about eight thousand head, the most of which are now running wild. From this ranch each week the missionary fathers who are distributed among its districts are aided with the jerked beef necessary for their living. But, after missions and pueblos were founded and spread further inland, it was found very inconvenient or even impossible to send this provision to them each week, and it was decided to distribute to each padre and [his] post thirty or more head of cattle, so that, by taking care of them in their own districts as their own property, they would have food for themselves and even for the Indians, not only on the feast days celebrated by the Church, when all come together and two or three beeves are killed, but also for the relief of the sicknesses and poverty resulting from their mode of living. They commonly suffer from famines, during which entire pueblos are in the habit of going to the mountains to look for game and roots in order not to perish. There, with indescribable trouble, go their ministers to administer

the sacraments to them, so that they may not lose the good of their souls for the temporal good of their bodies.

Although I do not know exactly the number of wild cattle running loose, nor do I think it can be ascertained accurately, it is very certain that it costs much effort and trouble to catch a cow, since the country is very broken and rough for rounding up and breeding the cattle. For these there is no sale whatever, nor does it seem fitting that there should be, since they are the only dependence of that province for the support of all those who are living there in the service of both Majesties.

The raising of wheat which the college has [undertaken] there was begun in order to supply and provide all the fathers with sacrament wafers, for if they did not have this provision, so necessary for the masses and communions of so many Christians, notable would be the lack which they would have for the sacrament, which is so important for the salvation of souls. They plant it on the sides and draws of the mountains, because there the ground is more damp. The crops are as short as may be expected in view of the dryness of the land—of which I have already given clear and truthful information—; of its slight fertility; of the lack of even the most necessary things; and of the scarcity of the wild and roaming cattle and of other harvests and sowings.

Unquestionably, and in order that it may be known, [I say that] it is neither proper nor opportune to impose tribute upon those nations which possess nothing to pay it from; nor are they a people who will submit themselves to it. On the other hand, they will abandon the settlements that are already established. [I state this] because these Indians, being assigned in *encomienda*, as they are, by the governors of Nueva Viscaya, do not pay any fixed tribute. Instead, if at any time the governors ask them for some contribution, or if they compel them to pay it, invariably the Indians take flight. Neither does it appear that they are obliged to pay tithes from the native grains that they plant, and they do not employ themselves in planting the grains of Castile. Or in case that they do so on some rare occasion it will be in such small quantity that it is not sufficient for the payment of tithes. And in case the wages of the soldiers of that presidio are paid directly to them, in whatever way it may be paid, either in money or in clothing, it will be [equally] for their convenience, because at present there is no trading there, nor anything with which it can be done. However, it may be considerably more as a result of the clothing and goods that are taken from this city to that province. There is already there a bishop-designate of Durango, and they have gone as far as the villa to make their visits and confirmations. On account of the roads and country being very rough, the only one that has gone beyond, as far as the pueblo of Tegueco, eighteen leagues distant from there, is the Señor Bishop Hermosillo. The Indians are distributed in their pueblos and districts, which are proportionally provided with enough ministers in the persons of the fathers of the Company of Jesus; and I doubt whether any others can instruct them better or keep them in peace and concord, inasmuch as they do not ask or take from them anything for their apostolic ministry nor do they employ them or make them work more than in that work which is necessary and

unavoidable for the maintenance of themselves as well as of the churches and the augmentation of their ornaments and other furniture; and for the better service of the divine worship, which is celebrated with as much order and display as in the most splendid churches. Of this I was a witness, for I visited many of the pueblos and districts at the time when I was captain in that province. This is my opinion in regard to this matter, according to my conscientious judgment and sworn oath, and the truth, with which I desire to serve his Majesty and carry out the commands of your Excellency.

In the City of Mexico on the eighteenth of February, 1639, Captain Don Francisco de Bustamente, whom I swear that I know, declared that in conformity with the order of the most excellent señor Marquis of Cade-reyta, viceroy of this New Spain, he has given his opinion, which is comprised in the three preceding folios, written upon in whole or in part and he signed it with his name. Witnesses: JUAN DE SELI and FRANCISCO PÉREZ, citizens residing in Mexico. Don FRANCISCO DE BUSTAMENTE. Before me, JUAN DE CARAVANTES, royal notary.

[*Opinion of Don Francisco Gómez de Cervantes. Mexico, March 3, 1639*]

Most Excellent Sir: Having seen the cedula of his Majesty of the 23d of December, of the past year of 1637, and the decree of your Excellency of the 19th of January of the present year, in which you command me to state my opinion concerning that which it contains, [I say,] Sir, that there are two points having a bearing upon the provinces of Nueva Viscaya and Sinaloa upon which I can give my judgment and opinion as their former governor and captain-general. The one is concerning whether it is opportune to divide bishoprics in the said provinces and to establish reductions and *doctrinas* of those Indians, in which the royal patronage may be safeguarded and they may be obliged to pay tithes and some tribute. The other is concerning whether there would be much trading if the wages of the soldiers and the missions should be paid in money, in Sinaloa, and not in clothing.

With reference to the first point: The bishopric of Guadalajara comprised both the provinces of Nueva Viscaya and Sinaloa, and on account of being so remote and distant a division was made of them, another bishopric [being created] which has its seat and cathedral church in the city of Durango, where is the capital. It is the royal treasury and there as many as one hundred and fifty Spanish inhabitants formerly had large cattle ranches and farms. But they have notably diminished and run down, many of them entirely so, after the general uprising of the Tepeguanes Indians, which occurred in the year 1616,⁴² and prior to the division of the bishopric. I am therefore of the opinion that at most the amount of the tithes will total fifteen thousand pesos, or those which the Spaniards pay from the cattle that they raise and the grain that they harvest. Although the said province of Viscaya may have as many as twenty towns of Spaniards, most of them are mining camps with few inhabitants, except El Parral, which is judged to have eight hundred citizens and, although

⁴² See, "Introduction," II: 17-18 of this series, and references there cited.

the land is very fertile, it cannot be judged by the increase which in the future it may possibly have, but only by its present reduced state, to which I have referred.

[As regards] the Indians that are peaceful and under instruction, I have observed that they do not plant the grains of Castile, from which they owe tithes, as is customary in other parts of this New Spain, but that they only plant maize and vegetables of this country in such small quantity that scarcely is there enough for their own sustenance. Passing on to the province of Sinaloa—which is distant one hundred and thirty leagues from the city of Durango, and where there is a villa named San Felipe y Santiago with a few Spanish inhabitants, and, for the defense of the country, a presidio, with a captain, forty-five soldiers and a commander—I have learned by report of the little that is harvested there of maize and wheat on a few small farms, and also that the cattle which they raise will not suffice altogether for more than their own moderate support; and, in this connection, it must be remembered that some stray away. Neither is the cattle ranch of the college of the Company of those missions of the size stated, and the same is true of the products that they harvest from some fields, which are only sufficient for their own sustenance and the entertainment and succor of the Indians of their *doctrinas*.

The number of Indians in that far-flung province is very large, but as regards those who have been reduced to peace and instruction there is no report to the effect that they apply themselves sufficiently to the working of the land to produce copious harvests, except of maize for their own sustenance. For this reason it is not customary in any part of this kingdom for them to pay tithes, and if they do raise some cotton from which they make blankets for their clothing, it is evident what a little quantity it is, since most of them go naked, and the Spaniards have made no profit in bringing them to sell in these provinces where they would have value. Nor is the land that is not cultivated sufficiently fertile for that province to be divided into another bishopric, the only reason for proposing it being the long distance that the bishop of Nueva Viscaya has to go to visit that country.

With reference to establishing among the Indians reductions and *doctrinas* in which the royal patronage may be safeguarded, it should be understood that those that have been established in Nueva Viscaya are administered in some parts by religious of the Order of Saint Francis and in others by those of the Company of Jesus, and that in them they have labored under much hardship and risk, meeting with great success in the conversion and instruction of those souls. And, by this method, they continue each day reducing other barbarians and heathen. In the province of Sinaloa those of the missions of the said Company are in charge alone, and they experience many troubles and dangers to their lives. For this reason it seems that it is not possible to make a change.

As to whether the Indians of these provinces should pay some tribute, they are such an unreliable people and so uncertain in keeping the peace and quiet that with less occasion than compelling them to pay this they often rebel and join with other barbarous heathen; and for the same reason any

desire that these latter might have to submit to peace and instruction would be taken away, for none of them in any sense wish to be burdened with any contribution nor compelled to work, and they are treated in this way in order to obviate the great difficulties and expense to the royal exchequer that might follow. To keep them under restraint three presidios of soldiers are located in different parts of Nueva Viscaya⁴³ and yet, despite such justification as this, is there an example in this New Spain of tribute being required from Indians living on the frontiers?

Regarding the second point, whether there would be much trade if the wages of the soldiers and of the missions of Sinaloa should be paid there in money and not in clothing, it is to be noted that to the missions of the religious of the Company of Jesus payment is made in money at this royal treasury of Mexico, and through the solicitor of the college that which is necessary for their clothing is sent to them at the churches, with the result that no further consideration is needed for this. With reference to the wages of the soldiers of that presidio the matter is different, because the payments are made for Sinaloa, half in money and half in clothing, which is purchased in this city, all being entrusted on account of this royal treasury of Mexico to the paymaster, who is appointed with a salary, so that he may make the payments in the manner that has been provided by the orders and commands of the señores viceroys. From what I have learned from some of the soldiers it would be more convenient to them if the pay were made all in money and not [partly in] clothing, as is done in the presidios of Nueva Viscaya at the royal treasury of Durango, which was so ordered by the señor viceroy, the Marquis of Cerralvo,⁴⁴ while I was governor there, on petition of the soldiers themselves. [In so doing] their salaries were lowered by one hundred pesos which the percentage of profit over the cost of the said clothing amounted to, as a result of which the royal exchequer receives the same advantage as by paying them in clothing.

Now, as far as I can see concerning the point as to whether there will be much trade, I do not believe it can occur in any way except as merchants may have occasion to bring clothing on their own account and sell it to the soldiers. In any case this ought to be settled in the way that they choose as the best for their convenience. Nothing more occurs to me to be answered, and in every detail I yield to the better opinion of others. Thus he swore to it before God and the cross according to the law. Mexico, March 3, 1639. Don FRANCISCO GÓMEZ DE CERVANTES. He signed before me and knows the contents. JUAN DE CARAVANTES, royal notary.

This is a true and accurate copy, having been corrected and compared with the original, which was handed to me for this purpose by Dionisio de Suescun, secretary of government and of *camara* of the most excellent

⁴³ With reference to the military strength and presidial defenses of Nueva Vizcaya in the seventeenth century, consult the "Introduction," II: 17-26 of this series.

⁴⁴ Bolton (*Guide*, p. 469) lists Rodrigo Pacheco y Osorio, Marqués de Cerralvo, as viceroy of New Spain from 1624 to 1635.

señor, the Marquis of Cadereyta; and by command of the said most excellent señor I issued the present writing in Mexico on the 3d day of March, 1639. Witnesses to the copying, correcting, and comparing: DIEGO ROMÁN and Don NICOLÁS DE VILLEGAS, citizens resident in Mexico.

And in testimony of its authenticity I sign it (there is a signature). JUAN DE CARAVANTES, royal notary (there is a rubric).

I have not charged a fee. (There is a rubric.) ⁴⁵

⁴⁵ F. R. B., Sevilla, Sept. 25, 1914.

EXTRACTS FROM PAPERS OF THE INQUISITION RELATIVE TO THE AFFAIRS
OF THE PROVINCE OF NEW MEXICO, 1629-1671

*Letter from the members of the Council, with a transcript from the Inquisition of Llerena of the reports of Fray Estevan de Perea, received October 28, 1630, to be added to those which were made in the Inquisition of Evora. These latter reports have not been remitted to this Inquisition, although the letter from the Council says that they were sent in the year 1628*⁴⁶

[Folio 3.] Juan de Liaño Venegas, secretary of the Holy Office of the Inquisition of the province of León, which has its seat in this city of Llerena, certifies and makes oath that among the papers which are in the office of its secretary are certain reports concerning the genealogy and purity of blood of Fray Estevan de Perea of the Order of Saint Francis, who resides in the convent of the Order in the City of Mexico in the Indies. These reports were made by command of the members of his Majesty's Council of the Holy and General Inquisition, given in its letter of January 28 of the past year 1628. They were reviewed by the Tribunal together with the recommendation of the *fiscal* concerning them, and in an *auto* of the sixth day of the present month the *licenciante*, Alonso Serrano, and Dr. Martín de la Guerra Panyagua, inquisitors, stated that it is shown that the said Fray Estevan is a native of Villanueva del Fresno and legitimate son of Rodrigo Alonso and Inez Núñez, his wife; that Rodrigo Alonso is a native of Beja in the kingdom of Portugal, a resident of Villanueva, and son of Roque de Pesana; that Inez Núñez, mother of Fray Estevan, was the daughter of Estevan Núñez and of Juana Fernández, residents of Villanueva del Fresno, and was born in Moncaraz in the kingdom of Portugal, three leagues from Villanueva.

Fifteen witnesses who were examined in that villa spoke well of the purity of blood of the applicant and of that of his fathers and grandfathers, save that two of the witnesses, one being fifty years old, says that he had heard it said that Estevan Núñez, maternal grandfather of the applicant, was a resident and native of Moncaraz and of a village called Mohinos, and that the common people of Villanueva questioned the purity

⁴⁶ A. G. M., Inquisición, vol. 268, exp. 5.

For a summary of the career of Fray Esteban de Perea as a friar and as custodian in New Mexico, beginning in 1609, see Scholes, "Church and State in New Mexico, 1610-1650," *loc. cit.*, pp. 42-56, 146-165, 283-303; and Scholes, "The First Decade of the Inquisition in New Mexico," *loc. cit.*, pp. 195-229.

In the last cited reference Scholes says (p. 200) that in 1627 the Holy Office "would probably have appointed him [Perea] its agent [in New Mexico], but first it had to have the formal proof of his genealogy and *limpieza de sangre*. Perea was a native of Spain, so the Suprema was requested to furnish the necessary information. The reports were not received prior to Perea's departure for New Mexico in September, 1628, so that his appointment under the Inquisition was delayed until 1630. In 1629 the old warrior was back in New Mexico urging onward the expansion of the missions."

of his blood and said that he had an admixture of new Christian blood. The other witness, seventy-six years old, says that he had heard it said among certain residents of Villanueva that Inez Núñez, mother of the applicant, was tainted with new Christian blood, he does not know whether through Estevan Núñez, her father, or Juana Hernández, her mother; this witness has the same suspicion concerning the religious, and intimates that the defect is through the father, Estevan Núñez, rather than through the mother.

In view of the fact that only Fray Estevan de Perea was a native of the villa of Villanueva del Fresno, none of his ancestors having been born in any place within this district, the inquisitors ordered a transcript sent of the contents of this *auto*, in compliance with the command of the members of the Council in the above-mentioned letter of the twenty-eighth . . . to the end that they may be added to the other papers which may have been drawn up concerning the application in hand, and suitable resolution be taken. In order that this may be made manifest, I did, at the command of the señores inquisitors, give the present writing, signed with my name and sealed with the seal of this Holy Office in the secretarial chamber, on the eighth day of the month of March, 1629. Roque Valgo witnessed the corrections and erasures, which are not important.

Signed: JUAN DE LIAÑO VENEGAS. (A seal, and three rubrics.)⁴⁷

*Case brought by Fray Estevan de Perea against Juan López*⁴⁸

[*Document dated at Cuarcac, October 30, 1633*]

[FOLIO 231.] LETTER OF FRAY ESTEVAN DE PEREA.
CUARAC, OCTOBER 30, 1633

The miserable condition in which the governor, Don Francisco de la Mora,⁴⁹ maintains these provinces, makes it necessary, Sir, for the old religious in them (since there is no other remedy) to appeal to-day to the final and surest authority by making a report to your Highness. To me, as the oldest, and their prelate, having baptized so many thousands of souls with my own hands in the more than twenty-four years that I have been here, the obligation seems the greatest, wherefore, Sir, I make so bold as to write these lines.

I. The covetousness of the governor is so untiring, and he exhibits it in such unmistakable ways, so pernicious and so offensive to God, that it is an endless process from which the whole land suffers, Spaniards, Indians, and religious alike, for he takes from them their property in the ways which they will describe. It is unbelievable that he should do as he does with the Indians, for he deprives them of their poor possessions most

⁴⁷ Ad. F. B., Mexico, Aug. 17, 1912.

⁴⁸ A. G. M., Inquisición, vol. 380.

In the translation of the above document and in the translations of succeeding documents from the Inquisition archives the portions enclosed in brackets represent either Bandelier's summaries or explanatory insertions of the editor and translators.

⁴⁹ See note 3, *supra*.

cruelly. For the religious it is an interminable process, for he has tried to make us his small merchants, and to have his trading conducted in various places through the hands of the religious, so that we are buying and selling such products as are in this unhappy land in exchange for his knives. The priests who have not consented to do this have been most unfortunate, for he has made cruel war upon them both by his power as governor and also through their prelate. This has caused among the religious great discord and much unhappiness, for they have been the targets of his wrath ever since he came into the country. Many days before he was received he visited the convents, leaving in all through which he passed a large number of knives, which the religious were to sell for antelope skins. He also obliged them to plant fields of cotton for him. By this conduct he has caused great discomfort to the religious.

One poor religious who is in one of the most miserable and needy conversions describable, because it is a post among the unconquerable cannibal heathen, where there is not even water to drink, and whither food has to be taken to him from the neighboring convents (one of which is this one), went to meet the governor and ask him humbly to aid and assist him, and to come and visit those posts so that the Indians might thus be led to come and hear the doctrines which the religious was preaching for them, indicating to them the mysteries [of religion] as one would who knew the serious [errors] from which they were suffering. When he had asked this, the governor replied, "But, father, what has this to do with bars of silver or gold?" To which the religious replied, "The bars which we have for this purpose are those which . . . are given to your lordship, so that you may come to do [what we ask]." And thus the matter has rested until now, this father having received no assistance; nor have the others, as [will appear] from the things which they will say.

2. He has taken pernicious license in giving orders to take away orphans (as if they were yearling calves or colts) from the very large farms which he has established. These children he has placed in permanent bondage, taking them away from their fathers or mothers, which is a serious sin against the divine and the natural law. [This he does] in spite of a new order which he has here, issued by his Majesty, to the effect that this should not be done, under penalty of deprivation of office, loss of property, and his Majesty's displeasure for those who do so. This order was published in the villa of Santa Fé in this kingdom by a public crier accompanied by public witnesses. But the governor laughs at the order, because he is so far away [from authority], and he has given to anyone who cares to ask him an orphan to be placed in perpetual bondage by means of an order which he gives on a paper two inches long, which serves as a just title wherewith the bearer may go to any pueblo he likes and take away a boy or a girl from its father or mother. They clamor to heaven, and alas for the minister who opposes this cruel tyranny, for he, as though he has risen against the royal jurisdiction, has troubles rained down upon him. Hatred is shown to our holy faith and our Christian name, and our holy law is taken to be a law of slavery . . . whereas it is the law of perfect liberty. . . . It [is only necessary for gentlemen

like your lordship] to be informed how these miserable Indians suffer from this treatment in the wounded depths of their hearts, and so [I pray] through the blood of Christ, our Redeemer, that your Highness will with Christian clemency remedy so pernicious and abominable a sin. . . . [Folio 232.]

3. The governor also gives permission to establish stock farms for raising cattle and sheep on the cultivated fields of the Indians; and he has greatly injured many soldiers by taking away from them their possessions of all kinds by unspeakable methods in order to stock the farms which he has created. Then, in order to close their mouths that they may not clamor to heaven (for there is no remedy in the land for such aggressive covetousness) he allows them to take up farms not only in the cultivated fields of the natives, but even in the court yards of our convents. Thus the poor Indians are deprived of their little fields, both of corn and of cotton. Into this pueblo of Cuarac there came a soldier with a great number of cattle of all kinds, to a place where these three neighboring pueblos have all their cotton fields, and he built his corrals and his dwelling houses right on the fields of these pueblos, which are close together, absolutely ruining them, and not a word may be said about it. Hence we appeal to the fountain of all justice and clemency. . . . Cuarac, in New Mexico, October 30, 1633.

FRAY ESTEVAN DE PEREA.⁵⁰

*Case against Nicolás de Aguilar of New Mexico*⁵¹

[Documents dated 1660-January 17, 1664]

The *auto* of accusation, by the *fiscal*, Juan de Ortega Montañés, was presented August 11, 1661. [The charges were:] scandalous words, contempt of censure, insulting language to priests, suspicious attitude toward the faith. [The instrument] asks that he be placed in the secret prisons, etc.

DECLARATION OF FRAY DIEGO DE PARRAGA, ISLETA, APRIL 16, 1662

The declarant says that Mendizábal⁵² gave permission to dance the *catzinas*.⁵³ He also says that he saw them danced in the pueblo of Cuarac, in which he was minister. They were mingled with certain very dangerous superstitious beliefs contrary to the teachings of our holy mother Church.

⁵⁰ Ad. F. B., Mexico, Aug. 17, 1912.

⁵¹ A. G. M., Inquisición, vol. 512.

⁵² "On December 24, 1658, Don Bernardo López de Mendizábal, newly-appointed governor of New Mexico, left Mexico City for Santa Fe. . . . In July, 1659, Mendizábal and his retinue reached Santa Fe, where he was to exercise the duties of governor until the latter part of 1661." Hackett, "New Light on Don Diego de Peñalosa: Proof that he never made an Expedition from Santa Fe to Quivira and the Mississippi River in 1662," *Mississippi Valley Hist. Rev.*, VI: 318 (December 1919).

⁵³ These native dances of the Pueblo Indians are frequently described in the documents that follow. A good description of them is in the "Declaration of Fray Nicolás Freitas," *infra*, pp. 133-134.

This declarant, being thus pained as a minister as well as by the harm done to the souls of the natives themselves, preached to them and told them not to perform such dances, for they knew, and their former ministers had taught and admonished them, that it was not permissible for them to dance those dances because they were significant of superstitions, and he himself also had told and admonished them thus. As a consequence, according to what this declarant learned from the *alférez*, Joseph Nieto, who told him of it, the lieutenant of the Indian pueblo, a native of the said pueblo of Cuarac, named Yguany in his own language, had gone to the pueblo of Taxique, where the *alcalde mayor*, Nicolás de Aguilar, was, and this Indian had said to Nicolás de Aguilar that this declarant had wanted to whip the Indians for having danced the *catzinas*; whereupon Nicolás de Aguilar had replied that notwithstanding that the minister might feel hurt, they might dance those dances.

[FOLIO 4.] DECLARATION OF FRAY FERNANDO DE VELASCO, THEN
MINISTER OF CHILILÍ. SANTO DOMINGO, JUNE 14, 1662

[Bad treatment of the religious by Aguilar. The declarant relates the stories of Isabel Vaca concerning the conduct of Aguilar in prohibiting the Indians from bringing wood to the fathers. Nor did he permit them to receive food. . . . Folio 5.] The declarant also says that when he was minister of Taxique and Chililí, the said Nicolás de Aguilar, with the authority of *alcalde mayor*, commanded the Christian Indians of those pueblos, under penalty of fifty or one hundred lashes if they refused, to dance the diabolical dances called the *catzinas*, and the declarant himself had to see them danced, as they were very frequently danced publicly in his presence. He says that once when there was a great deal of snow the *catzinas* Indians went up to the flat roof of the very church and began to perform their superstitious dance very noisily. On that occasion Nicolás de Aguilar went to the convent and said to this declarant: "But why did you command the Indians to dance the *catzinas* on the roof of the church? It certainly must be all right, since your reverence orders it done." The declarant replied that it was untrue, that he had not ordered nor encouraged things which were offensive to God, our Lord. Then the father declarant, calling to him an Indian sacristan of the convent, the Indian said that it was Nicolás de Aguilar himself who had ordered it. [Deponent further told] what opposition Nicolás de Aguilar as *alcalde mayor* had offered to all the ministers in the jurisdiction of Las Salinas; how in all things he could do or imagine, he insulted them by word and deed, . . . haughtily [ordering] the captains not to sow the wheat, nor to serve the father, or he would give them an hundred lashes, for he had been so ordered by his governor, Don Bernardo López de Mendizábal. . . . [In other matters he confirms the foregoing.]

[FOLIO 7.] DECLARATION OF ISABEL VACA, SANTO DOMINGO, JUNE 18, 1662

[She confirms the foregoing, which happened in Taxique. There were then three religious in that convent. She asked Aguilar] why, since he

was a *justicia*, he did not order the Indians to carry wood to the convent so that the three religious who were there might warm themselves and cook their food, for so great was the need of those poor fathers that they were burning the crosses used for all the Lenten processions in order to cook a mouthful of food. To this Nicolás de Aguilar replied, laughing: "Let them burn the crosses, what are crosses good for except to burn?" This declarant said to him: "Is it possible that your honor can be so cruel as to say that, and have you no pity at all for those poor religious, for two of them are ill." His cruelty obliged Father Fray Juan Ramírez, a religious eighty years old, to go out, falling and trembling with cold, it being Christmas time and the snow deep, to gather a few sticks of wood. Nicolás de Aguilar, seeing this, stood laughing, and was not moved with pity. . . .

[FOLIO 19.] DECLARATION OF JUAN MANSO, MEXICO, JANUARY 13, 1661

[He said that Aguilar was] a wicked man, that he had fled from El Parral for having killed an uncle with a shot from an arquebuse, and had entered those provinces of New Mexico. . . .

DECLARATION OF FRAY NICOLÁS DE FREITAS,
MEXICO, JANUARY 10 [?], 1661

[Folio 25.] A year and a half ago, when this witness was in the convent of the pueblo of Senecú, Fathers Fray García de San Francisco, Fray Francisco de Salazar, Fray Diego de Santander, and Fray Pedro Moreno, told him that the Indians of the pueblo of La Isleta had performed the dance of the *catzinas* on a high hill within sight of the pueblo. This dance is an express idolatry of the devil, an act of giving thanks. The action of Bernardo López de Mendizábal was thus the cause of their returning to the old times of their idolatry and heathenism. In order that the evil of this dance of the *catzinas*—a name applied to it by the Spaniards, perhaps taken from one of the Indian languages of those provinces, of which there are fourteen—may be better understood, it is to be noted that this dance includes two ceremonies. The first includes a direct invocation of the devil, his false priests attending upon it; there is [a ritualistic] discipline and an offering to the devil of the fruits of the earth. The other ceremony has less solemnity but much superstition, in which fathers have intercourse with daughters, sons with mothers, and brothers with sisters, no attention being paid to relationship. . . .

[Folio 26.] He said that . . . in order that it may be known in this Holy Tribunal how grave is the offense which has been committed against God, our Lord, and His holy Catholic faith through Don Bernardo López de Mendizábal's having consented and given permission to Christian Indians and even to sons and grandsons of Christians—in certain parts of those provinces where the natives were converted from heathendom sixty years ago and adopted our holy Catholic faith and received holy baptism and the sacrament of confirmation—to perform this dance in public, whereas the religious and the secular governors who preceded

Don Bernardo López de Mendizábal had definitely prohibited the dance because it gives expression to idolatry and worship of the devil, [it should be explained,] he said, that prior to performing the first variety of this dance, the Indians fast two or three days, and, when the fast is ended, then comes the day of the dance. They then put on the face a sort of domino, or mask, with a small hole through which they can see a little. These masks are made of cloth, or of elk skin. They also wear other masks stained black. Those who put on these masks are the most idolatrous. Before going out in public they try them on in the council rooms [*estufas*] which they have underground. When they come out in public, one of them puts in the place where the dance is to be performed the offering of the things already mentioned. The other dancers perform the dance about it, using a language which is not understood, even by the Indians themselves; or if they do, they are willing only to say that it is the language of the devil. Asked to what end they perform these dances, they say it is to obtain the women they desire, and that the devil gives her to them. Or, they say it is for the purpose of asking him for corn or for other specific purposes. Some of them, taking palm leaves [*ojas de palmillo*], cruelly beat, until the blood flows, this or that one of the dancers who desires to make this blood sacrifice to the devil. They all become so frenzied that they appear beside themselves, though no drinking has taken place whereby they may have become intoxicated. Sometimes they go from this dance and enter any house they wish, and take pleasure from any Indian woman they desire. In the second variety of this dance there is no fasting; sometimes there is the ritualistic performance already mentioned, but always with the masks on. They perform the dance while singing in that unknown tongue. After dancing, they go to whatever house they will, and have common intercourse with women of the near relationship mentioned. . . .

[FOLIO 27.] HEARING OF FEBRUARY 21, 1661.

MEXICO. FRAY NICOLÁS DE FREITAS

[He narrates the case of the Indian of Tajique who went to Santa Fé to complain because Father Diego de Parraga had taken his wife from him. This was in the matter of the alleged concubinage of Fray Diego de Parraga with more than twenty Indian women of Tajique.] But later, this father vice-custodian made his declaration with great exactitude and as fully as he was allowed to speak. The secretary, Fray Diego de Santander, told this witness that Fray Diego de Parraga was innocent, and that the Indian women had been suborned [to perjury], and that it had thus become necessary to publish this fact in those provinces so that the scandal which had been aroused might be somewhat allayed. This witness says, as one who also knows Don Bernardo López de Mendizábal and knows how he acts in all things without fear of God, that the steps which he took to have the father vice-custodian go to that villa, and afterwards to have Nicolás de Aguilar present in Tajique for the examination of these Indian women, were for the purpose of causing them to testify falsely, in

fear for their own safety, against Father Fray Diego de Parraga so as to deprive him of his honor. Afterwards, being placed at liberty, they told the truth, and the innocence of Fray Diego de Parraga was established. Don Bernardo López de Mendizábal having, as has been said, been upon the visitation of Tajique, went to the pueblo of Galisteo, fourteen or fifteen leagues distant, [folio 29] and it was publicly known in all those provinces that he ordered it cried abroad that all persons who had any claim to make against the father *guardián* and minister, Fray Nicolás del Villar, should appear before him where he was holding court in the communal house. Our Lord was pleased to grant that there appeared no complaint against Father Fray Nicolás del Villar.

This witness says that Father Fray Diego de Santander told him in the pueblo of Humanas and in the pueblo of Senecú, before the religious cited, to wit: Fray Francisco de Salazar, Fray Miguel de Guevara, Fray Salvador Guerra, Fray Miguel Sacristan, Fray Diego de Parraga, and Brother Fray Francisco de San Buenaventura, . . . that Nicolás de Aguilar had sent out a public notice in the pueblo of Humanas, which Father Fray Diego de Santander heard from the window of his rear cell. This notice, in the name of the *alcalde mayor* himself, was cried in Spanish by an Indian named Andrés, who was well versed in that language, and who repeated the notice in the Tumpira language. He told the whole pueblo of Indians, who were assembled in the plaza—and that pueblo is the most populous one in those provinces, whither they gather together from all parts to trade antelope skins and corn—that they might live just as they chose, and that they should be punished for no fault, either by the father, the *fiscales*, or the captains. This witness deems that this notice did not originate in the head of Nicolás de Aguilar but by an order of the governor. . . . And, so that it may be made plain that what Nicolás de Aguilar ordered to be announced was put into execution, the witness says that in the pueblo of Tabira, a visitation of Humanas, in the jurisdiction of Las Salinas, the Indian captains, who are the judges of the Indians, brought before Nicolás de Aguilar two Indians who had been taken in illicit intercourse. Nicolás de Aguilar, scolding the captains for bringing them to him, set them at liberty without punishment. . . .

[Folio 30.] He says that it happened in the year 1660, in the month of June, that the pueblo of Humanas, a new conversion or one of the new ones which until now had not had a regular minister, was celebrating the festival of Señor San Buenaventura, its patron saint. The father *guardián* and minister, Fray Diego de Santander, invited this witness, who was *guardián* and Minister of Cuarac, ten leagues away. In order to celebrate the festival with a sung mass, the witness took with him from Cuarac some twenty Indian cantors and sacristans, with the ornaments; but when these Indian cantors and sacristans had arrived at the pueblo of Humanas, for no reason whatever, except that they had come to celebrate the mass and bring the ornaments for the festival, Nicolás de Aguilar ordered them each given fifty lashes in the pueblo of Cuarac. For this reason the poor things have not dared to come here since to sing mass, and the divine offices have been prevented.

[He also tells how] Father Fray Antonio Aguado was *guardián* and minister *doctrinero* in the pueblo of Abó. Inasmuch as its language is very difficult to learn, there being no grammar of it, nor, indeed, of any of the other languages of New Mexico, Father Fray Antonio Aguado availed himself of an Indian named Bartolomé, who knew Castilian, with whose aid he administered the sacraments to the Indians, and supplied what he lacked of that language in administering to the Indians, and in preaching. Learning this, Nicolás de Aguilar ordered this interpreter on no account to enter the convent, imposing upon him the penalty of two hundred lashes; thereby did Nicolás de Aguilar on his own initiative place an obstacle in the way of the administration of the holy sacraments and the spiritual welfare of those souls. This witness knew this, for he was told of it in Senecú by Father Fray Antonio Aguado himself. For this reason Fray Antonio Aguado resigned the office of *guardián* and left it; he did, however, afterward return, in obedience to the vice-custodian, to the same *doctrina*, to endure the same hardships and even greater ones; for Nicolás de Aguilar, deserting the house which he has on his farm within the jurisdiction of the pueblo of Chililí, goes to live in the pueblos within the jurisdiction of the *alcaldía mayor* of Las Salinas. This he does in obedience to the commands of Governor Don Bernardo López de Mendizábal, merely to prevent the Indians from attending the service of the religious and of the church. This witness was obliged, in Cuarac, to go to the forest for wood, and though a priest, to bring it back on his own shoulders. Father Fray Diego de Parraga was obliged to cook their food, which he did, though poorly, not knowing how to do it, because the governor would not give them an Indian to serve them. It got to such a pass that they received no obvention of any kind, neither for marriages, burials, watch services, festivals for their patron saints, nor for anything else.

[FOLIO 31.] HEARING OF FEBRUARY 26, 1661

It was one day in the month of June, in the past year, 1660, Nicolás de Aguilar having come to . . . the pueblo Cuarac, that he gathered all the Indians of the place together in the plaza, and through an interpreter commanded them not to attend to the service of the convent, not even voluntarily, for such was the wish of the señor governor, Don Bernardo López de Mendizábal. He then at once proceeded to oust, and did oust, the Indian *fiscal* of the church, to the notable scandal of those poor Indians [folio 32] but recently converted to our holy Catholic faith. He commanded that not even for the sung masses should the Indian boys who attend these services come to dress themselves as acolytes as is customary in those provinces, and throughout New Spain, for the better adornment and service of the churches. There are no others to serve as acolytes, and the little Indian boys do it with notable devotion. . . .

[FOLIO 37.] PARAGRAPHS FROM LETTERS OF RELIGIOUS IN LAS SALINAS.
1660. COPIES

[They burned crosses in Taxique, for cookery. The letter was written by Fray Fernando de Velasco. In another paragraph (folio 38) he says:]

As soon as I arrived, I said to the Indians of Tabira and Humanas, that they should take away the horses and go to the forest so that that rascal of an Aguilar could do them no harm. . . .

[Francisco de Valencia says (folio 58)] that the declarant being, in October of the past year, in the pueblo of Cuarac, when Nicolás de Aguilar, the *mestizo alcalde mayor* of those pueblos, had given [the Indians] leave to dance their diabolical dances, there came an old Indian to notify the pueblo that the *catzinas* were coming, these being their heathen priests. The inhabitants of the pueblo went out, taking with them a *mestiza* who lived there, to receive the *catzinas*. One of the latter went shouting throughout the pueblo, saying that it was a long time since he had been exiled (pretending to be the devil) but they might be happy now, for he had come to be with them. He then gave to the *mestiza* a fir-branch which he carried in his hand, and she received it and put it in her house. The meaning of this ceremony I do not know. Then the *catzinas* went all around the pueblo shouting. They went and got earthen bowls, gourds, and other things, according to their superstitious custom. Many persons told him this, for they had seen it. It hurt him to see such things. . . .

LETTER OF FRAY ALONZO DE POSADAS TO THE TRIBUNAL.
SANTO DOMINGO, JUNE 1, 1662

. . . upon the time and occasion when the said general arrived, the governor and captain-general, Don Diego de Peñalosa,⁵⁴ was in the province of Moqui, nearly one hundred leagues distant from this *custodia*. Thither had gone with him Captain Diego Romero, Nicolás de Aguilar, and Cristóbal de Anaya. . . . [The whole statement concerns the arrest of Aguilar. He was forewarned to flee, but was seized in Isleta.]

[FOLIO 60.] TESTIMONY OF FRAY SALVADOR DE GUERRA, JUNE 13, 1662

[He confirms the statements that Aguilar, Anaya, and Romero were in Moqui during the first half of 1662.] On the night of the last day of April, the father commissary and I in his company were in the pueblo of Alamillo, when he received information by letter of how, on that same day, the governor had entered the pueblo of La Isleta on his return from

⁵⁴ Don Diego Dionisio de Peñalosa Briceño y Berdugo served as governor of New Mexico from 1661 to 1664. Many references to the bibliography of the literature that relates to him and new light on his activities in New Mexico are in Hackett, *op. cit.*, pp. 313-315. In the writing of the above-cited monograph Hackett made use of the Bandelier transcripts herein published for the first time. With reference to these transcripts Hackett (pp. 317-318) says: "The inquisition papers . . . throw much interesting and valuable light upon the activities of Peñalosa and his predecessor, Don Bernardo López de Mendizábal, as governors of New Mexico. The utilization of these transcripts by the writer has made possible this paper, which may be regarded as the first fruits of the final labors of the lamented Bandelier in the archives of Mexico and Spain."

the journey mentioned, having with him Diego Romero and Nicolás de Aguilar. Their return had already been surmised, because numerous advices had been received that [Aguilar] had animals sent in advance to a prearranged spot, with which to escape as soon as he should return from the journey. Knowing this, the father commissary started promptly from the pueblo of Alamillo with me on the morning of May 1. At noon of the same day we crossed the Río del Norte at considerable risk, for it was much swollen. We then traveled eighteen leagues until we arrived, nearly at midnight, at the convent of La Isleta, coming carefully and in silence. We ascertained from the *guardián* who lives there how many men were in the pueblo and who they were. The father commissary and I learned that Romero and Nicolás de Aguilar were there, and that the general and *alguacil mayor*, Don Juan Manso, was far away and could not come in person to arrest the above named men. Hence the danger being very great that they would take flight . . . it was decided to arrest them at once. On the following day, the second of the month of May, early in the morning, there being present myself and Captains Andrés López Sambrano, Bartolomé Romero, and the said Diego Romero and Juan Luján, having seen Captain Nicolás de Aguilar enter the convent, we waited for him in one of the lower rooms. When he came out, we went up to him and the father commissary laid hold of the person of Nicolás de Aguilar and put him into one of the lower cells of the convent. . . . The disturbance was so great, and Diego Romero talked so much, that he aroused suspicion and it was necessary as a precaution, at one o'clock of that afternoon, for the father commissary . . . to seize the person of the *sargento mayor*, Diego Romero, and put him under guard in a cell on one of the upper floors of the convent. . . .

Captain Andrés López Sambrano came, and in my presence said to our father commissary that the *alférez*, Bartolo Gómez Robledo, a cousin of Diego Romero and brother of the *sargento mayor*, Francisco Gómez, had written [folio 81] a letter that same day in the house of an Indian of the pueblo just after the two arrests had been made, and he suspected that the letter was intended for the villa of Santa Fé and gave an account of the arrests. . . . [The commissary, Posadas, left Isleta quietly on May 2] to cross the river on a raft, which he did, and went that night to the pueblo of Santo Domingo, fifteen leagues up from La Isleta. . . . [Pedro Manso de Valdéz, who was one of the most servile instruments of Peñalosa, aided in arresting Francisco Gómez. Cristóbal de Anaya Almazán was also arrested, and the four were incarcerated in cells of the convent of Santo Domingo. Folio 82. Sergeant Bartolo Gómez Robledo afterward fled to New Spain.] He carried off all the horses and tame mules belonging to his brother, Francisco Gómez, and the collections of the tribute from the pueblo of Acoma. . . . [Diego González Bernal, who had been *alcalde mayor* of Galisteo for Mendizábal, also fled by way of Chililí. . . .]

I also swear that Juan Domínguez de Mendoza, who was lieutenant-general in the time of the government of Mendizábal,—whom I know and knew as a man conspicuously inimical to the ecclesiastics, who persecuted them by his writings, prevented them from administering the holy sacra-

ments, took away the cantors, sacristans, and others who attended divine worship, and who beat the Indians in the churches and churchyards to prevent them from serving their spiritual pastors—this man, after the four above-mentioned persons were arrested by the Holy Office, took his pistols, arquebuse, and leather jacket, and wandered about the fields, telling people everywhere that he does this, not staying in his house even at night, but has his weapons ready, in case they should come to arrest him for the Inquisition. He says he will kill every one who comes, or be killed himself, before he will allow himself to be taken, and that the four men who were arrested allowed themselves to be taken through pure cowardice.

Signed: Fray SALVADOR DE GUERRA, secretary and notary.

[FOLIO 85.] FIRST HEARING OF NICOLÁS DE AGUILAR,
MEXICO, APRIL 12, 1663

He is a man of large body, coarse, and somewhat brown; he says he is thirty-six years old. He wears a gabardine of buff and black wool, adorned with very small points of black wool [lace], a doublet of white cloth embroidered with blue wool, trousers of dark red flannel with small points of black wool lace, blue woollen stockings, a cotton neckcloth adorned with drawn work, and shoes of buckskin from New Mexico. Apparently he brought nothing else with him. In a white wooden box, the key of which he handed over, there were also found:

3. A doublet of buff and black wool, badly worn, with cotton sleeves embroidered with blue wool.

4. Another doublet of buff and black woollen cloth, with the same sort of sleeves.

5. Item. An old cotton shirt, adorned with drawn work.

6. Item. Another cloth shirt, worn out.

7. Item. A shirt of ordinary Rouen linen.

8. A cotton shirt, embroidered with dark red wool.

9. A short jacket of dark red flannel, decorated with black wool.

10. Two pairs of woollen stockings, one pair red and the other buff-colored.

11. One pair of white cotton stockings.

12. One pair of shoes of Córdovan leather, worn out.

13. A book, entitled, "Catechism in the Castilian and Timuquana languages." Inside of this was another very small book, entitled, "Instructions for examining the conscience."

14. A bar of soap and a little *alucema* wrapped in an old black rag.

15. An antelope skin muffler lined with yellow linen.

16. A cloth containing, apparently, roots of dry grass, which he said they call bear grass in New Mexico, used for curing fevers.

17. Three small pieces of dried grass roots, which he said is called *manso* grass, and is good for healing wounds.

18. A fair-sized bag of relics, inside of which was another bag containing a paper telling of the restitution which must be made. It covers about half of a half-sheet of paper.

19. A little printed copy of the four Gospels.

20. A quantity of folded papers, which he said were relics.
21. A rosary strung on *coyole* wire, having large beads, and a little silver cross.
22. A small and very old book bound with small black boards, which had no title at the beginning, and seems to consist, in the middle, of exercises and reflections.
23. [Folio 86.] A very old cloak of olive-colored cloth.
24. A very old black hat.
25. A buckskin bag within which is a cotton pillow filled with sheep's wool.
26. A mattress of coarse black and white stuff, filled with sheep's wool.
27. Two black woollen blankets.
28. Two woollen sheets.
29. A large buckskin into which the leather bag goes. He has apparently brought nothing else.⁵⁵

[FOLIO 87.] HEARING, MEXICO, MAY 8, 1663. NICOLÁS DE AGUILAR

He is a native of the pueblo of Yurirapundaro, in the bishopric of Michoacán, fifty leagues from this city, and a resident of Las Salinas in New Mexico. He is thirty-six years old. His occupation is and has been that of a soldier in the province of New Mexico, where he has been serving the king, our lord, since he was ten years old. He has been sergeant and adjutant in the villa of Santa Fé, and inspector of the wagons of Andrés de Gracia which went to the provinces of New Mexico. He has also twice been field-captain in New Mexico and *alcalde mayor* of the jurisdiction of Las Salinas. . . . [Folio 90. He was denied the communion by Father Fray Fernando de Velasco in 1661. He did not accept the bull of the crusade,] but it has not been the custom to do so in the kingdom of New Mexico, because there were none there, nor have there been in the time of the accused, for they say "they" did not want to receive them. He does not know whether "they" were the fathers of Señor Saint Francis of those provinces—for there are no others, or any priests—or the secular *cabildo*, or the governor. . . . [Fray Diego de Parraga wanted him to retract his accusation concerning the Indian women before confessing him. The women retracted. Aguilar attributes this to the persuasion of Father Velasco. Folio 93.] He says that he has only gone out of the Catholic kingdoms while in New Mexico; that he has gone among the heathen Indians to trade, as it is customary for the Spaniards to go as an escort for Christian Indians when the latter go to trade. On one occasion the hostile Indians came out upon the road and wounded him, so that he was about to die. . . . He fears that false testimony has been introduced against him, for Fray Nicolás de Freitas, trying to shoot him with a pistol, told him that he should no longer take pleasure in his wife, nor his children. . . .

⁵⁵ The above list of the personal effects and the items in the wardrobe of Aguilar, an *alcalde mayor* in New Mexico in the middle seventeenth century, stand out in marked contrast to the "Manifest . . . of the goods, arms, and horses," made by Captain Luis de Velasco, a member of the Oñate expedition, in 1597. This "Manifest" is in I: 428-433 of this series.

HEARING OF MAY 11, 1663. [FOLIO 99]

And he also declares that, about eight years ago, Fray Diego de Parraga, then *guardián* of the pueblo of Tajique, ordered as many wooden crosses, large and small, to be made as there were persons [folio 100] in the place. In compliance with this order they made five or six hundred crosses, large and small, which they carried on their shoulders every Friday during Lent and on Holy Thursday, afterwards leaving them in the dormitory of the convent, or anywhere, even in the toilets and other filthy places, so that some of them had fallen, and others lay among the filth. . . .

He also declares that about eight years ago, when Fray Francisco de Velasco was *guardián*—he does not know of what pueblo, but thinks it was the pueblo of Zuñi—and Fray Salvador de Guerra was *guardián* of the pueblo of Jongopabí,⁵⁶ they took from the Indians a great amount of cloth and [other] tribute. The Indians went to the custodian to complain, or else to the governor. When the Indians returned to the said places, Fray Salvador had them brought to him, and he went into their homes to search them. He found some feathers, or idols, and consequently seized [the people] and ordered turpentine brought so as to set fire to them. [The witness] does not know how badly he mistreated them all, but he does know a few of them who are marked by the burns. One of them he sent to his pueblo. The Indian was about to die of his burns and could not walk. Fray Salvador provided him with a horse, the Indian dying soon after in spite of this. Whereupon the custodian immediately removed the two friars to the villa of Santa Fé, where they remained a long time [folio 101] saying no mass, on account of this crime. Finally, they are still there; they say mass, and are *guardianes*. . . .

He has also heard it said that these religious of Saint Francis caused some Indians in Moqui to dress as very penitent hermits; they walked about praying in penitence, carrying a cross and some large beads, and wearing haircloth shirts. They cooked [only] some pots of herbs for them to eat, so that the Indians were about to die, and complained. The religious punished the Indians, and were themselves removed. [He accuses Father Vergarai (Ybergaray?) of having married two fellow-godparents, after having annulled their marriage, and of demanding four hundred pesos for the dispensation.]

[Folio 103. The witness says] that in that kingdom the Indians were accustomed to perform a dance, which consisted of their coming to the plaza in very ugly masks, each one bringing in his hand some of the fruits which they eat, tied with a maguey cord, and depositing them one after another in a circle in the plaza. The Indians then put on masks [folio 104] representing aged persons and walk among the fruit, making ridiculous figures. Other Indians, either belonging to the place or strangers, come as freely as they wish. He who dares enter the circle to take the fruit, does so; he seizes what he wants, and flees. The Indians in the

⁵⁶ Xongopabi, or Shongopovi, was the form in use at the time of the Pueblo rebellion in 1680. It was one of the Moqui pueblos. Hodge, "Notes," in Ayer, *The Memorial . . . of Benavides*, pp. 207, 258.

masks try to stop him and strike him with little paddles which they carry, whereupon those who are caught pay those who catch them, and so on until [the fruit is gone]. But the religious of that kingdom have undertaken to say that this dance is wicked and diabolical, and they stopped it. When Don Bernardo went to govern that kingdom, he, seeing that the dance was not evil, permitted it, and it was performed, though the friars continued to say that it was evil. But the accused has paid particular attention to these dances, and has found nothing bad in them. . . . And he relates many other sensual excesses, public liaisons, and scandals, which happen in those kingdoms, being caused by the religious of Saint Francis, but these being numerous, and not pertinent to the suit, have not been written down. [He relates the case of Fray Diego de Parraga in Tajique, but does not now remember the names of the Indian women whom he brought to make accusations against Father Parraga.]

[Folio 122. Aguilar says] that the incident of dancing the *catzinas* was not due to him, but to Don Bernardo López de Mendizábal, who ordered it danced in the entire kingdom. Once, upon the day of San Miguel, the Indians told him that they desired to perform this dance, and he told them to dance it, provided they should do no sinful thing, that being the thing which the fathers *doctrineros* reprehended. As a matter of fact, they did perform the dance, and, a few days later, Father Fernando de Velasco called upon the entire pueblo to clean the roofs and offices and requested that certain Indians should go [to do so]. Then [the witness says] that he does not know whether the father gave the command, but that some of the *catzinas* Indians went about notifying the people and striking them with little paddles. [The witness,] going to the convent with Juan de Moraga, saw these people upon the roofs and the father looking at them from below. Then the witness said to Juan de Moraga; "Be my witness that the father is calling to the *catzinas*, and consents to their ceremony." It is true that people say that the *catzinas* Indians do many evil, superstitious things, and also [make the other statements] included in this charge. But however bad they might be, the father nevertheless consented to their working. This occurred, and nothing else. . . .

[Folio 125. Concerning the pueblo of Humanos.] . . . Although it is true that this declarant gathered [the people of] the pueblo together, he only did so in order to learn from the captains what persons there were who were maintaining liaisons, that he might punish them, as is the practice in that kingdom, and in order to choose certain shepherds to drive the stock belonging to Father Fray Diego de Santander to the pueblo of Abó, for the said father had turned into that pueblo 700 sheep, 20 oxen, and 20 or 30 horses, although it has never been possible to have herds in that pueblo because there is no water. The scant water supply is in a few wells a quarter of a league from the place and forty or fifty *estados* deep. Hence it is expensive to obtain water and necessitates great labor by the Indians; they exhaust the wells, and then the people lack water. Indeed the lack of water is so acute that they are accustomed to preserve their urine to moisten the earth to make walls. Therefore the governor, Don Bernardo, and the custodian of Saint Francis had ordered the said livestock removed

from that pueblo. [The accused,] in order to execute the command, appointed the shepherds and told the Indians at the meeting that those who desired to serve the father *doctrinero* voluntarily might do so. When the Indians desired to remove from the school certain boys who were there being taught to read, so that [they might become] cantors, because there were none in that pueblo, [the accused] ordered that they should not be removed, as indeed they were not. . . . [There follow accusations against Fray Nicolás de Freitas, that he had beaten and caused to be beaten Indian women who desired to make depositions against Fray Diego de Parraga.]

[Folio 126.] He said that two heathen Indians from Los Siete Ríos having arrived at nightfall at the pueblo of Cuarac, the Indians of that pueblo, understanding that they were enemies, killed one of them and wounded the other. Thereupon the Apaches of Los Siete Ríos who had been friendly made demonstrations, desiring to come and attack the pueblo to avenge the killing. Governor Don Bernardo sent the accused to wage war upon them, or pacify them before they could fall upon the pueblo of the Christians. He went, taking with him a squadron of Spaniards and another of Indians; he worked hard to reduce the enemy, for they were very much determined upon war. But God willed that they should be reduced to peace, and a pact was made with them that they should not pass beyond the pueblos of Humanos and Tavira, where they come to barter; nor should the enemy of the same nation in the jurisdiction of Casa Fuerte and Navajó come, because it is from there that the whole kingdom receives hurt, for they [the Apaches] are all one people, and it is impossible to tell whether they are friends or enemies. This pact has been observed, and the Indians of Cuarac have been ordered not to go to the pueblos of Humanos and Tavira at the times when the Apache Indians of Los Siete Ríos should come to trade, for, if the nations would avoid seeing each other there would be no war. The Indians of Cuarac having upon this occasion gone to the pueblo of Humanos upon command of Father Fray Nicolás de Freitas, he wanted to punish them, for there were at the time Apache Indians in the pueblo of Humanos, and it was possible that if the two nations should see each other they might again start trouble, for this is the usual thing among them. But he did not beat them [folio 127] and does not know whether the cantors spoken of above attended the festival of the pueblo of Humanos or not; he does know, however, that the pueblo of Humanos always uses singers from the pueblo of Abó, they being all of the same nation as the Humanos. This he did because of the said war and strife, but not because of hatred of the festival nor from wish to lessen its success, for at that time the chapel of the pueblo of Abó was in the pueblo of Humanos, and hence there could not have been lack of musicians or cantors. This is what happened, and nothing else. . . .

He said that Don Estevan, the Indian governor of all Las Salinas, complained to him that another Indian named Bartolo, who was the interpreter for Father Fray Antonio Aguado through whom the latter spoke to the Indians because their language was so difficult, frequently beat the Indians, whereof the Indian, Don Esteban, complained to him, as has been said. This deponent therefore summoned the Indian, Bartolo, and brought

his excesses to his attention, warning him that if he did not mend [his ways] he would punish him. He did not punish him, however, nor did the matter go any further.

[He denies having taken the Indians from the service of the religious, and accuses Father Freitas of having pretended to look for wood when he had wood in his house; and he asserts] that if the religious had wanted one or two Indians, it would have been easy to give them to them, just as he gave them cooks and herders; but the fathers wanted nothing else except all the Indians of the pueblo, to gather pine-nuts, to weave, to paint, to make stockings and other things for the fathers to use and to profit from. They even use the Indians to hunt prairie chickens when they have no other work for them. In all these things they much misuse the Indians, both men and women, whereof the king, our lord, has information and commands by his cédulas that it shall be corrected. It is true that in the winter of the year '62 the accused was detained in the pueblo of Chililí with all his household after having gone to mass, when it snowed for eight days, for which reason he conducted his government in that pueblo; and from it [folio 128] visited his pueblos, and carried with him at his own expense Fray Fernando de Velasco, on his horses, to say mass and hear confession in the pueblos. This he did with much trouble, on account of the deep snow; it can be verified by old Father Fray Juan Ramírez, who was there. . . . [He denies that old Father Ramírez had had to go through the snow looking for wood, for he always had a boy for a servant. . . .]

HEARING OF OCTOBER 24, 1663

[Folio 131.] He said that the heathen enemy Apache Indians are accustomed to come to the place of Taxique and the neighboring forest and catch the people and carry them to their own territory. There they build a great fire, near which they bind the person whom they have captured; they then dance around him, cutting off parts of his body, which they cook and eat, until they entirely consume him, cutting him to pieces alive. This has happened a number of times, hence the declarant had expressly ordered the *capitanes á guerra* not to permit the people to go to the forest. Such being the case, and there being enemies in the mountains, the said Fray Fernando de Velasco sent the Indians, both men and women, to get wood and bring it on their carts. Thereupon they all went, men and women, with their little children, in the deep snow, as described in the foregoing paragraph. [The accused,] upon leaving the plaza on horseback, saw the crowd of people coming, the women with their children on their backs, with wood piled on top. . . .

[Folio 132. Afterward, in Chililí, Fray Fernando de Velasco tried to kill Aguilar with a knife which he carried in his sleeve.]

HEARING, NOVEMBER 6, 1663. AT THE REQUEST OF AGUILAR

[Folio 134.] He stated that he has asked this audience in order to say some things which seem important for the purpose of securing justice for himself. He did, in fact, tell of certain Indians, both men and women,

whom he had given to the religious for their service, in addition to those whom he had been ordered to give them by Governor Don Bernardo López de Mendizábal. [He also mentioned] great disturbances which had occurred in other *alcaldías mayores* near to that ruled by Don Bernardo, and other similar matters which have nothing to do with this case, for which reason they were not copied *in extenso*. . . .

[Folio 137. Aguilar asked to be absolved and set at liberty. He received a lawyer, in the person of Don Joseph de Cabrera, a *licenciado*.]

[FOLIO 139.] HEARING, JANUARY 17, 1664

He says he remembers that, when Father Fray Alonzo de Posadas⁵⁷ had gone to New Mexico as custodian, and was in the pueblo of Sandía when the [declarant] was in his *alcaldía mayor* of the pueblo of Taxique, Fray Fernando de Velasco, who was *guardián* there, ordered brought to his cell all the masks with which the Indians had been dancing the *catzinas*. When the accused came afterwards to Fray Fernando's cell, the latter asked him if any of the masks were missing. He looked at them, and replied that two masks were missing, one representing an old man and another an old woman. He ordered the Indians to bring them, which they did; when the number of masks was complete, he sent them to the custodian by Antonio Jorge, a settler from down the river in New Mexico, who gave a receipt for them all. If, as is stated in the accusation, the Indians had carried idols in the dance of the *catzinas*, [folio 139] they would not have been missing there; and since Fray Fernando did not demand them—for if they were made use of, they would be such a noteworthy part [of the ceremony that] it would be inevitable that their absence would be noticed, and [the father] would have asked for them—it seems clear that they did not have them. . . .

PUBLICATION OF THE WITNESSES WHO TESTIFY AGAINST
NICOLÁS DE AGUILAR

[Folio 140.] Item. The witness said that on the same occasion he saw, heard, and knew, that Nicolás de Aguilar ordered all of the Indians, under penalty of two hundred lashes, not to carry a single stick of wood to the friars; also that he threatened Isabel Vaca with two hundred lashes if she went to cook for the friars, among whom was one eighty years old.

[Folio 149. Mentions Humanos as a new conversion, or one of the new ones, which, up to 1660, had not had a resident minister. There are seven witnesses up to folio 156.]

REPLY OF AGUILAR TO THE WITNESSES

[Folio 158. He says that Pedro de Leyba, Francisco García, and Joseph Nieto are his enemies; that Leyba owed a good deal to the Indians and Aguilar saw that they were paid. Folio 159.] He said that Don Estevan

⁵⁷ Father Posadas arrived in New Mexico on Apr. 28, 1661. See letter of Posadas, May 23, 1661, *infra*, p. 166.

Clemente, governor of all Las Salinas, being in the pueblo of Cumanos [*sic*], notified the accused, so that he might inform Governor Don Bernardo López that all the religious *doctrineros* wanted to go away. . . .

[Folio 164.] He said that . . . the feast of San Buenaventura has been celebrated for many years in the pueblo of Humanos; for Fray Francisco de Acevedo, who has administered those pueblos thirty years or more, has always kept the feast of Señor San Buenaventura, always taking Indians from the chapel of the pueblos of Abó, Humanos, and Tavira for the purpose; and this is the truth.

['To paragraph 14 he replies] . . . that because he moved in order to protect those pueblos from the enemy, during the time he served there nothing happened to the injury of any part of the jurisdiction, for he neither ate nor slept, so great was his activity in visiting every part of the country. . . .

[Folio 165. He says that the *doctrineros* taught about seventy Indians in each pueblo, and that the acolytes were adults, not children.]

[Folio 173. The *fiscal*, Ruiz de Cepeda, requests that Nicolás de Aguilar be put to the torture. The accusation is read to him again, for the second and last time. Folio 175. Aguilar says:] That while he was gone to the pueblo of Humanos to assume succession to the office of *alcalde mayor* and to get a quantity of maize which Don Bernardo López had there, Fray Diego de Santander, *guardián* of that place and secretary of the custodian, sent to summon him to the convent. The accused said that he would go, but the father again called him, and he went, and, entering the cell, saluted the father. They saluted each other, and then Fray Diego went to a window where he had two open books. He read from the first in Latin and then from the other, also in Latin; whereupon the declarant asked him why he read in Latin to one who hardly knew Romance. Fray Diego said that it was impossible that Governor Don Bernardo López could be saved, for he was a persecutor of the Church. [Folio 176.] This he repeated two or three times, without the accused saying anything to him. . . . Then he said: "Father, how is Don Bernardo a persecutor of the Church, when he stops public sins and helps these miserable Indians?"

[It seems that the prisoners talked together in the prison of Santo Domingo, and that there were persons who listened and then revealed what they heard. The interrogatories of Aguilar continued also in the prisons of Mexico. They follow. In one of them he said (folio 189)] that he had never expressed the opinion that the Indians might dance the *catzinas*; he did not know what dance it was; it was Don Bernardo López de Mendizábal who told them to dance it. He [Don Bernardo] apparently called the settlers, who say that he ordered the dance performed in his presence, and said he would be responsible. The Indians afterward told the accused that this dance had been performed throughout the entire kingdom. . . .

[FOLIO 196.] SENTENCE

[Sentence was imposed. He never retracted, nor admitted the accusations. He even requested that sentence be revoked, or at least be revised. Folio 200. Instead, the deprivation of office, which was for six years, was

made perpetual, and Aguilar was exiled for ten years. The accusations are repeated. Long mention of the *catzinas*, but no new detail. Folio 221. The expenses amounted to 261 pesos, 2 (*reales*), 10 (*tomines*). The sale of the effects yielded 241 pesos, 6 (*reales*), 10 (*tomines*).] ⁵⁸

Second Cuaderno of the Case of Mendizábal ⁵⁹
[Documents dated February 6, 1660-June 25, 1665]

[FOLIO 2.] DECLARATION OF FRAY JOSEPH DE ESPELETA.
MARCH 2, 1660. MEXICO

Fray Joseph de Espeleta, thirty-five years of age, a native of the villa of Laraga in the kingdom of Navarre in those of Spain, a religious who is a professed priest in the Order of our Lord, Saint Francis, in this province of El Santo Evangelio, to-day residing in the *custodia* of New Mexico; and who has come to this Holy Tribunal for the relief of his conscience to make certain declarations, and of his own accord has given this testimony for Don Bernardo de Mendizábal, governor of New Mexico. . . .

Says: That in the month of September of last year, 1659, when the said governor, Don Bernardo López de Mendizábal, was in the villa of Santa Fé, which is the capital of New Mexico, in the royal houses where he lives . . . there came to see him Father Fray Juan Ramírez, the custodian; Father Francisco de Salazar, apostolic *definidor* and former custodian of that province; Father Fray Juan González, apostolic *definidor* who also was custodian; Father Fray Francisco Benito de la Natividad, present *definidor*; Father Fray Francisco de Plasencia, present *definidor*; the witness, as present *definidor*; and Fray Diego de Parraga, also a present *definidor*, to ask the governor to grant them Indian cantors for the churches of the *doctrinas*. . . .

[The governor refused them in the words already copied from the other *cuaderno*. He also denied them Indians for service within the convents, although the religious presented to him the royal cedula which authorized him to concede such Indians. Folio 3. All this deposition seems to be the basis for the first accusations of the *fiscal*, and for that reason I do not copy them. The case of Fray Benito de la Natividad is told as follows:]

When the said governor entered the kingdom, this religious went out to receive him, dressed in his surplice, to the gate of the cemetery of the convent of Socorro. He received the governor with pealing of bells and with other musical instruments which the churches in that *custodia* have, and with a large cross. But the governor began to have words with Father Fray Benito de la Natividad because he had not gone out two leagues from the convent to receive him. . . . [See the first *cuaderno*.]

[Folio 4. The case of Fray Francisco de Acevedo, a *doctrinero* of the pueblo of Alamillo:] He is ninety years of age, and has been engaged in the indoctrination of those natives for a little less than forty years. . . .

⁵⁸ Ad. F. B., Mexico, Oct. 28, 1912.

⁵⁹ A. G. M., Inquisición, vol. 587. Although this *legajo* is marked as the second one of the *proceso* [case], it is the first.—Ad. F. B.

[See the first *cuaderno*. Father Espeleta confirmed this statement in Mexico, March 2, 1660, before the Tribunal. Folio 9. He mentions the house of Diego de Guadalajara, "six leagues from the pueblo of Alamillo," and the house of Alonzo Pérez Granillo, two leagues from El Socorro.]

[FOLIO 10.] DECLARATION OF FRAY JUAN RAMÍREZ,
MEXICO, MAY 14, 1660

He said that his name was Fray Juan Ramírez, that he was a native of this City of Mexico and a religious who had professed priesthood in the Order of our father, Saint Francis, custodian and ordinary ecclesiastical judge in the *custodia* of San Pablo in New Mexico, and that he was forty-six years old. [He said] that the governor, Don Bernardo López de Mendizábal, denied the ecclesiastical authority and that the father custodians cannot use it, because he always denied them the ecclesiastical authority although his Majesty had given a declaration of their title thereto, together with apostolic bulls. The governor had much discussion in opposition to this authority with Father Fray Miguel de Guebara and Father Fray Nicolás de Freitas on the Río del Norte and in the *custodia* and its capital city, which is the villa of Santa Fé.

[He repeats and confirms the accusations of Father Espeleta. He mentions many words of Mendizábal against the religious which are more than disrespectful. Folio 11. He says that Father Fray García de San Francisco, "who has been in that *custodia* more than thirty-six years, . . ." accuses Mendizábal of using ugly and injurious words against the religious. He mentions the royal houses of Santa Fé as "a palace, as they call it there, in which the governors live."]

[FOLIOS 16 AND 17.] COPY OF A LETTER FROM FRAY MIGUEL DE SACRISTÁN

[This letter bears the date of June 16, 1660, at the pueblo of La Isleta, where the said Fray Miguel was then *guardián*. The letter is directed to the vice-custodian. In it are the following paragraphs (speaking of the governor):]

I have tried with all the peaceful means in my power to mitigate their afflictions [that is, of the religious] and I have had no success, for their grievances multiply every hour; I see the justice of their cause, and that there is no means of mitigating or restraining the terrible work of the governor of this province. For my long suffering, my patience, and my refusal to become exasperated by his excesses have not overcome him, because it has been his purpose to give me and my religious causes for a break whereby to justify the violence and vexation which he practices upon them. These are such that I attribute it to the great mercy of the Lord, that they have all been held in check so that none of them has become disturbed, especially seeing that the governor does not go out to make inspection of the Indians nor of the Spaniards, but only of the religious, making his visitation concern their lives and customs. When he finds nothing against them, he solicits complaints by means of his ministers of justice, ordering them by word of mouth to send to him complaints by the

Indians, in writing, against the religious. This is a thing so foreign to these unskilled people that it is an inconceivable foolishness that anyone should try it. So great are the cares of the religious that there is hardly anyone who will stay in his *doctrina*, and they are all leaving.

Judge you of a secular governor, who delegates so much of his work that his ministers of justice, who are very inferior people, are set to examine cases against the poor religious in conspiracy with miserable Indians who will say whatever is required of them if it be insisted upon. The religious are then sent before the governor in this manner: He, very joyous at having accomplished his desire, seats himself in public to ask iniquitous questions, and if the natives come to the villa bringing hay or anything else, he at once examines them concerning the lives and customs of the religious, saying that he is the legate of his Holiness, and that he has power to do so. Is it not going pretty far, Sir, to say this to miserable Indians who are people without capacity? But he dares to say to the very religious themselves that there is no other head here than the governor; he said to certain heathen who came with others who are Christians to talk to him, that there was none here to be recognized save himself and God. He even said to the Spaniards themselves that if God the Father should descend from heaven to govern, He would not govern better than he. . . .

[Folio 18.] . . . I assure your honor that so much suffering is not bearable, for the religious do not have a single Indian to assist them in the convent and cultivate a little wheat for them to eat, when there is no obvention nor any alms here, and when the religious are so faithfully suffering dangers and labors in caring for their souls. This is because the governor has commanded some of the Indians under penalty of their lives and others under a penalty of two hundred lashes, not to assist the religious in anything. He has even forbidden the Spaniards under penalty of exile or [loss of] part of their estates to weave us sackcloth in which to clothe ourselves, and some who for their own profit and gain have dared to weave for us have had their wool taken away from them, and he has kept it. . . . He has, by a special *auto* of which he would not furnish a transcript, demanded that I should not use the ordinary ecclesiastical jurisdiction which the Apostolic See has given to the father custodians of this far distant kingdom in which his Majesty has placed no other ecclesiastical judge; with this there has been sown a most dangerous schism, instigated by the governor, who has by this means tried to make me or my religious so uneasy that we would permit his tyrannies. I have known and understood from his acts, that he has done this to drive me out of this kingdom because I disturbed him, and he asserted that this was true in his demand, for in it he said that I should not exercise the ordinary ecclesiastical jurisdiction under penalty that he would proceed against me as against an intrusive judge who was disturbing the peace of the kingdom. . . .

[Folio 19. Complaint is also made against Captain Diego Romero for the opinions he holds] which are public concerns, Sir, and demand a remedy. Not the least of these is the fact that in his visitations the governor finds out about liaisons and not only does not punish the parties, but commands the Indian who has the concubine to pay to his woman friend

the price of his sin with cloth; this he has done in several pueblos, giving these irresponsible people excuse for sinning because of their interest in what he commands them to be paid, as if it were a written license. Certain Indians who have been corrected by their ministers for their liaisons and have gone to him to complain, he has told that they might leave their pueblos and go to live wherever they wished. From this it has resulted that the Indians have said barbarously that the governor gives them license to live in concubinage, and to live with many women as they did in the days of their heathenism. . . .

[This letter is from Fray García de San Francisco when he was vice-custodian, and it is addressed to Fray Juan Ramírez as custodian, but it is also for the *fiscal*. Folio 20. He presents an original letter from Fray Nicolás de Freitas, resigning the office of *guardián* of the *doctrina* of Cuarcac, dated June 18, 1660. They always write "San cristian" in place of "Sacristan." There is a paragraph from a letter of Fray Miguel Sacristán, *guardián* of La Isleta, dated June 25, 1660, and addressed to the vice-custodian, Fray García de San Francisco, in which he writes:]

[Folio 22.] But all this would be tolerable if by any means it could be felt that the presence of the ministers in this kingdom was of any benefit, but at present it is not, rather is it a stumbling-block, for we do not have it in our power to correct, teach, or preach; on the contrary the Indians have complete liberty of conscience, and I can even assert to your reverence that in this pueblo they have danced the *catzinas*, which is a dance in which they so openly invoke the devil that they even represent his infernal figure, giving him thanks for the liberty which the governor has granted them by withdrawing them from the correction and teaching of the evangelical ministers. Citation:[?] And what is most to be deplored is that he should give both the natives and the Spaniards to understand that the ministers have been deceiving them.

[FOLIO 23.] LETTER FROM FRAY FRANCISCO DE SALAZAR, MINISTER OF SENEÚ, JUNE 17, 1660

The Indians are totally lost, without faith, without law, and without devotion to the Church or respect for their ministers, nor do they obey them. [He also presented a letter from Fray Nicolás de Villar, dated at Galisteo, June 14, 1660.]

[FOLIO 26.] LETTER FROM FRAY NICOLÁS DE FREITAS, CUARAC, JUNE 18, 1660. DIRECTED TO THE VICE-CUSTODIAN, FRAY GARCÍA DE SAN FRANCISCO

[He accuses Mendizábal] that he publicly said that he proposed to become the sole and supreme head of the Church, which he has fulfilled so far as I am concerned. . . . [He accuses him also of] not heeding the spiritual ruin which he has occasioned among these natives, who have had every opportunity to live in the unbridled, faithless license of the days of their heathenism. It has been impossible to correct their concubinage, the abominable crime of idolatry, their accursed superstitions, idolatrous

dances, and other faults, which the señor governor tolerates, endeavoring thereby to hold them for his particular ends by gratitude.

[He complained to the governor concerning a certain disposition in the Church which the governor confirmed. Alonzo Barba in the year 1660 lived in Chililí, "in this district of Las Salinas." The case of the Indian, Alonzo Alayjori, for disrespect toward the minister, which the governor did not punish, although he sent Diego Romero to examine into the case, and the latter found that the accusation made by the Indian was false. Also the case of Pedro Chiusa, the interpreter of Taxique. (See the first *cuaderno*.) The case of the Indian, Domingo Muquira, follows. He was living with a concubine and had stolen the cattle of the convent. He accuses him (the governor) of treating the Indians badly:]

I have indeed seen him punish them, because they [do not] bring the salt, because they do not promptly cut the lumber for the wagons, or because they do not in the most severe time of the winter keep an eye out for his animals—this pueblo being thirty leagues distant from the villa, and the road covered with deep snow—and he has kept them from coming to mass on the day of Ascension, like Christians, making them work at carrying salt all day. Thus he destroyed with this abominable teaching these tender children of the Church, who, even those who are only thirty years old, still recall the shadows of their heathenism; and the ministers are thus deprived of the noble labor which the law of God has assigned to them.

[Then comes the case of Nicolás de Aguilar. Folio 28. He interrupted the mass in Cuarac, contradicting, and commanding the Indians to go out of the church. They did not obey. The letter ends thus:] I ask and supplicate your reverence as earnestly as I can, with all the humility of a son of our seraphic father, Saint Francis, etc., to be pleased to accept my resignation, which I hereby make of this office of *guardián* and ministry, and of any other [charge] whatsoever in this kingdom and *custodia*. . . .

[FOLIO 29.] LETTER FROM VILLAR, GALISTEO, JUNE 14, 1660

[He accused Mendizábal of issuing] various orders, such as those whereby he deprived me of the Indian baking-women, forbidding them to knead bread for me, and of all the serving-people; and all those who had previously come to me to render service in the convent, such as sacristans, cooks, and a boy who served me, he commanded to pay tribute, and he collected from them antelope skins and cloth, for the sole reason that they had rendered service.

His lordship, seeing that he could find nothing against my reputation, notwithstanding he made diligent effort, thought it a wise measure to go away from this pueblo and to send within a few days the *regidor*, Pedro Romero, to make another investigation, with an abrupt order to assemble all the people of this pueblo. Then began again a more strict examination of my life, but, seeing that the Indians were angered by so many interrogatories, he commanded that no Indian or other person whatsoever should speak to me under penalty of death. . . . Seeing that I was silent under the rigorous treatment of his lordship, he sent another order to the

same purport . . . that no Indian should bring to me any letter or paper, or message from anyone whatever; this he addressed to the *alcalde mayor* of the district, Diego Gonzáles. . . .

DECLARATION OF FRAY NICOLÁS DE CHÁVEZ. MEXICO, SEPTEMBER 18, 1660

[Accusations against Mendizábal (see the first *cuaderno*) and against Nicolás de Aguilar, "*alcalde mayor* of Las Salinas," for calumniating Fray Diego de Parraga, *guardián* of Taxique, Fray Nicolás de Freitas, and Fray Francisco Muños of Picuries,] against whom he, Don Bernardo López de Mendizábal, ordered processes to be brought by the hand of Captain Juan Luxán, *alcalde mayor* of La Cañada. . . .

[Folios 33 and 34. The cases of Fray Francisco de Acevedo in Alamillo and of Fray Benito de la Natividad in Socorro. He confirms the depositions which precede, and adds (folio 35):] And that he has heard it said publicly in New Mexico that Don Bernardo López de Mendizábal had given his permission for the Christian Indians to perform their ancient and modern dances, among them that of the *catzinas*, which is a dance of the heathen in which the Indians dress themselves in peculiar garments, concealing only their private parts, smearing their entire bodies with earth, and covering their faces with masks like hoods, leaving only a small hole through which they can see a little. Only the men perform this dance, and when they dance it some of them beat the others with palm leaves over their entire bodies until they draw blood; they then go from house to house, entering them and bringing out with blows the Indian women, whom they carry away terrified and frightened to see those demoniac figures to certain rooms which they call *estufas*, which are underground. There the men and women have sexual intercourse in bestial fashion, fathers with daughters, brothers with sisters, and mothers with sons. When this deponent was passing through the pueblo of Pujuaque, which is composed of Christian Indians, and is a mission of the *guardiania* of Nambé (at the time when, as already said, he went to see whether the vice-custodian, Fray García de San Francisco, was in need of anything when he was notified of the command to absolve Nicolás de Aguilar and not to exercise the jurisdiction of an ordinary ecclesiastical judge) at about eleven o'clock at night, with another lay religious named Fray Antonio de Tebares and a young Indian who accompanied them, by the name of Joseph, who is married in the pueblo of Santo Domingo, they found that the Indians of Pujuaque were dancing the *catzinas* in the darkness of the night right in the plaza of the pueblo, which is very small. They were singing their songs in their own language, and were so drunken and so holden by the devil that when this deponent, with his arquebuse in his hand, said to them, "Devils," (for the lay religious usually carry arquebuses on account of the unconverted Indians and because they are sent by their prelates to different places alone, and at risk of their lives) and when the horses stumbled in passing over them, yet the Indians did not perceive it.

This dance had been done away with among the Christians until Don Bernardo López de Mendizábal came as governor. The religious, for the

sake of abolishing this dance, have passed and are passing through many persecutions, and many of them risk their lives, for it seems to them that it is the devil whom the Indians invoke in their dance. And even the heathen Indians are scornful and make fun of the [folio 36] Christian Indians because the devil does not appear to them as he does to the heathen, because they do not dance the *catzinas* as the latter do.

[He mentions the father custodian, Father Fray Alonzo de San Buena-ventura, and others as being now dead. Folio 37. The communal houses "are thus called because they are for the accommodation of those who pass by. . . ."]

[The deponent went to see Mendizábal in the pueblo of Socorro] to ask him to leave to the father *guardián* just two boys to serve him, which he did for three hundred fleeces of wool, which were at once given to Don Bernardo López de Mendizábal, and he distributed them immediately with his own hand among the Indians, so that they might make for him six hundred pairs of stockings. He told the Indians of that pueblo through Captain Juan Griego that only he and God were to be obeyed in that kingdom. [He makes declarations concerning the sayings of Mendizábal touching the religious and his threats against them. There follows the declaration of Father Chávez:]

And this Father Fray Francisco Muñoz went to the convent of San Marcos where this deponent was alone . . . and on that same morning, Saturday, he met this deponent two leagues from the convent of San Marcos at a farm which they call Los Cerrillos (the owner of which is one Doña Bernardina, widow of one Diego Márquez whom they beheaded in New Mexico).

[Folio 40. San Marcos is "six leagues from Santa Fé," etc. Don Juan Manso testified against Diego Romero, and said "that he was a dog of a heretic." He says:] He has had some occasions of disagreement with Don Bernardo López de Mendizábal and with Diego Romero, because they are so evil-spoken and acrimonious, as is well known in all that kingdom, concerning both the private affairs of the deponent, in which they have tried to stain his good reputation, and also concerning the ill treatment and other hardships to which his Order has been subjected in that kingdom. Two such perverse men as these having been brought together, the honor of no one was safe from their tongues, whether it was that of maid, married woman, priest or religious. . . .

[He says that for four years he has frequently visited Father Fray Nicolás de Villar in the convent of Picuries, of which Father Villar was minister and *guardián*. He shows a patent, dated at Isleta, June 20, 1660, signed by the vice-custodian, Fray García de San Francisco, and addressed to Fray Nicolás Chávez, authorizing him to represent the *custodia* by presenting its complaints in Mexico. Fray Nicolás de Chávez concludes by saying (folio 44):] Having set out on July 30 of the present year from the convent of La Isleta, which is the heart and center of the *custodia*, he left the father vice-custodian, Fray García de San Francisco, and the other religious determined, for they could endure no more—and the vice-custodian himself said so to him when he embraced him and bade him

farewell—that if they did not receive relief from this city they would have to consume the Holy Sacrament of all their churches and depart from the kingdom. . . .

[Folio 45. Fray Nicolás de Chávez confirmed these declarations against Mendizábal, Diego Romero, Francisco Gómez, and Nicolás de Aguilar, “for the plenary judgment.”]

[FOLIO 46.] TESTIMONY OF DON JUAN MANSO, MEXICO, JANUARY 13, 1661

[He is a native of the villa of Loarca, Asturias, thirty-three or thirty-four years old. He succeeded Mendizábal as governor of New Mexico:]⁶⁰ These things are of such a character that they have caused the deponent some misgivings, especially regarding the procedure of Bernardo López de Mendizábal against the Church and the religious ministers in the provinces of New Mexico. . . . Don Bernardo reached the villa of Santa Fé in July of the past year, 1659; it must have been in July two years ago, on the first or the second day after his arrival, when he went out to the door of the patio of the royal houses in which Don Bernardo lived, to see a dance which the Indians were performing in the patio. With him were this deponent, a Fray Somebody Rodríguez . . . and the father *guardián* of the convent of the villa, who at that time was Fray Miguel Sacristán, and other persons. . . . Don Bernardo said . . . that he had been sent as governor in ecclesiastical and secular affairs to these provinces, and that there was no other judge than he; . . . and he has acted on that assumption . . . arrogating to himself the ecclesiastical jurisdiction in those provinces, commanding by his orders Fray García de San Francisco, the vice-custodian of those provinces, not to exercise ordinary jurisdiction, as all the father custodians and vice-custodians have exercised it because there was no bishop in the provinces, nor any cleric whatsoever. From this prohibition of the ordinary jurisdiction to the father vice-custodian . . . in these provinces there have arisen [folio 47] undesirable situations, as for instance the case of a young man who seems somewhat of a *mestizo* . . . a son of Alonso Martín Barba, a resident of the jurisdiction of La Cañada. This young man came to the father vice-custodian . . . as he would to a judge with ordinary jurisdiction, to take the necessary legal steps to obtain a license to contract matrimony . . . but he was told by the father vice-custodian . . . to go to the governor, Don Bernardo, etc., . . . to have the latter give him the license to marry, since he, the vice-custodian, had been ordered by the governor's *auto* not to exercise ordinary ecclesiastical jurisdiction in those provinces.

[The case of Nicolás de Aguilar. He is] *alcalde mayor* of the jurisdiction of Las Salinas, an evil man who, fleeing from El Parral on account of having killed his uncle by a shot from an arquebuse, went into the provinces of New Mexico. . . . One festal Sunday when the Indians of

⁶⁰ Bandelier errs in saying that Manso succeeded Mendizábal; he preceded Mendizábal. See notes 52 and 54, *supra*, and second hearing of Mendizábal of May 9, 1663, *infra*, p. 195. For details concerning the career of Don Juan Manso in New Mexico, see Scholes, “The Supply Service of the New Mexican Missions in the Seventeenth Century,” *loc. cit.*, pp. 394 ff.

the Tompira nation were in the church of the pueblo of Abó to hear mass, this man went to the church and took the Indians away to close up the doors of some rooms where he had stored a quantity of salt belonging to the governor. . . . The importunities of the minister and *guardián* of the pueblo, named Fray Somebody Aguado, did not avail to cause Nicolás de Aguilar to let the Indians hear mass first and then go to work or wherever he might want them to go. He only replied to the minister that it was the governor's order. . . . [Folio 48. He did not attend mass, and, in the year 1660, he obliged Fray Miguel de Guebara to depart from Santa Fé. Folio 49. He testifies that six ministers left their *doctrinas* and that Mendizábal] spoke to the Indians publicly, telling them not to assist the religious in any way nor attend the divine worship; . . . and that if the fathers tried to coerce them to it, they should seize them and carry them away so that he might hang them, and if they resisted they were to kill them and bring them dead to be put upon the scaffold; and that he would do the same to any other Spaniard. . . .

[He confirms the accusations against Mendizábal of having persecuted the religious and of having spoken ill of them; he also verifies his persecution of settlers to the extent of having prevented them from going to mass. Finally, he confirms the remainder of what is contained in the first *cuaderno*. Folio 52. He mentions] the baths of San Joseph de los Jémez . . . eight or nine days [distant]. One day when Diego Romero was in the room where this deponent was in the baths taking a sweat. . . . [The remainder of the declaration and the confirmation thereof contain nothing new. The accusations against Diego Romero are positive, and he is described as a man fundamentally bad; he was the son of one Pérez whose extraction was Dutch.]

[Folio 58. The testimony of Pedro Manso de Valdéz, a nephew of Juan Manso, confirms the visit to the baths of Jémez.]

[FOLIO 60.] LETTER OF FRAY GARCÍA DE SAN FRANCISCO, SENECÚ, OCTOBER 13, 1660. (RECEIVED IN THE HOLY OFFICE, BY THE HAND OF FATHER FRAY NICOLÁS DE FREITAS, JANUARY 22, 1661)

I, an unworthy servant of your lordship, finding myself, though unworthy, placed in the office of vice-custodian of the religious of our father, Saint Francis, of this miserable land of New Mexico, and by virtue of this fact commissary of his Holiness and ordinary judge of these provinces through apostolic indulgence . . . [say that] the land is full of public sins, some of which come under mixed jurisdiction, others under purely ecclesiastical jurisdiction, and still others which appertain to this Holy Tribunal. None of them can be remedied, but rather their ill effects multiply more freely every day, for the reason that the governor of this kingdom, Don Bernardo López de Mendizábal, had by express *auto* commanded me not to make use of the ordinary ecclesiastical jurisdiction under penalty of having him proceed against me as an insubordinate judge. There is no cause for this save that I had declared liable to excommunica-

tion, according to the Bull of the Lord's Supper,⁶¹ a certain judge who had taken it upon himself to give information against a religious *guardián*, and save for the fact that the governor had determined to do certain unjust things and to commit unrestrained acts against the faith, there being no one to hold him in check. . . . Captain Diego Romero (son of a foreign father) has for a long time persevered in publishing an untruth, namely, that the concubine of . . . is under obligation to render him the conjugal duty whenever he requires it. . . . He is at present *alcalde ordinario* of the villa of Santa Fé in this land, and a few days ago he and . . . a governor of the heathen nation which they call "Apaches of the plains," accompanied by other Spaniards, went to buy antelope skins and buckskins for the governor. As soon as he reached that nation he said to the heathen that they would remember that his father when he came to that land had left a son, and that he desired to do the same. The natives, understanding that this was his will, came, according to their custom, placed a new tent, brought to it a bed of antelope skins and hides, placing in the middle of the tent a new hide spread out, and called to Diego Romero and had him sit down upon it. Then they began their wedding dance, as they call it, and when it was finished they brought to him a young maiden, and he admitted her and slept with her. In the morning the Apaches came, and, seeing that he had known her, they anointed his breasts with her blood, which is the method they are said to have in contracting marriage. All of this Diego Romero admitted. . . .

[Folio 62.] . . . They have proclaimed by his [the governor's] orders in the pueblos, especially in those of Las Salinas, that no governor, *alcalde*, or judge shall punish any sin which may be committed, nor consent that the ministers should punish it. Don Esteban Clemente and the religious of those pueblos are witnesses to this. Nicolás de Aguilar, *alcalde mayor* of those pueblos, commanded this to be proclaimed, and they brought before him three persons who were living in concubinage in the pueblo of Tabira, and he imposed upon them no punishment or reprimand.

When the Indians came to the governor to complain that the religious would not allow them to perform certain superstitious dances of idolatrous character, he said: "They are a thing which the religious abominate, so let them come and dance them." And the Indians of the neighboring pueblos gathered in the villa, and they dressed themselves in their abominable masks in a hall of the palace, and performed the dances, offering to the devil watermelons and other things. These dances were often repeated in the palace and on the plaza. They are called the *catzinas*, and are prohibited by all the devout ministers who have been here, on account of the imitation of the devil which they contain, the character of the worship, the offerings made, and other features, such as cohabitation and divers sins.

[The accusations already copied are repeated against Mendizábal, Romero, and Nicolás de Aguilar. Folio 63. Of Captain Juan Domínguez he says:] Captain Juan Domínguez, lieutenant-governor in El Río del Norte, having gone in time of peace to kill some heathen, brought some

⁶¹ The Spanish text reads: ". . . la descomunión dela Bula dela del S^r."

others as prisoners, and took them to the church of the convent of La Isleta, within one of whose chapels he put them in the stocks, and from there he carried some of them to be hanged. It was impossible to make any resistance to this act.

[FOLIO 63.] TESTIMONY OF FRAY NICOLÁS DE FREITAS,
MEXICO, JANUARY 24, 1661

[A native of the City of Mexico, not yet twenty-seven years of age. He accuses Mendizábal, Aguilar, Juan Domínguez, Diego Romero, and Cristóbal de Anaya (of the jurisdiction of Sandía). He says that, in 1658, on December 24, there went forth with Mendizábal and the custodian, Fray Juan Ramírez] Fray Diego de Santander, his secretary, Fray Miguel de Guebara, Fray Felipe Rodríguez, Fray Hernando de Monroy, Fray Antonio de Sotomayor, Fray Alonso de San Buenaventura, now dead, another friar, Fray Antonio de San Buenaventura, also dead, Fray Baltazar Amador, Fray Alonso de Arroyo, Fray Juan Bautista, Fray Francisco Pérez, [folio 65] Fray Antonio Aguado, Fray Juan Lobato, and Fray Diego Rodríguez, called the Apostolical. All went together with Don Bernardo López de Mendizábal, who was going out as governor to the provinces of New Mexico. There were also Fray Pedro de Molina, a lay religious, . . . Fray Antonio Tabares, a lay religious, and Fray Luis Martínez, also a lay brother. . . .

[Among the seculars he mentions Miguel de Noriega, Captain Almazán, Cristóbal, and his brother Francisco, etc. The two brothers were Anayas. On the road there were many quarrels between Mendizábal and the religious, Mendizábal contending that he was the "universal" head. Folio 71. Confirmation of the accusations. I do not repeat them so as not to lengthen the extracts too much. Folio 75. He speaks thus of the "*catquinas*":]

And it must have been a year and a half ago, more or less, that the witness was in the convent of the pueblo of Senecú, where he was told by Fathers Fray García de San Francisco, Fray Francisco de Salazar, Fray Diego de Santander, and Fray Pedro Moreno, that the Indians of the pueblo of La Isleta had danced the *catzinas* on a high hill which is in sight of the pueblo, with express idolatry of the devil, giving thanks because, due to the action of Don Bernardo López de Mendizábal, [folio 76] they had again returned to the old times of their idolatry and heathenism. In order that the evil of this dance of the *catzinas* may be better understood—the name was given by the Spaniards, who perhaps took it from some of the languages of the Indians of those provinces, of which there are fourteen—it is to be observed that this dance includes two varieties, in the first of which occurs direct invocation of the devil, his false priests taking part in it; there is also a ritual of discipline and an offering to the devil of fruits of the earth. In the other variety there is less solemnity but much superstition; in it occur carnal intercourse of fathers with daughters, sons with mothers, and brothers with sisters, with no regard for relationship. . . .

[Testimony concerning the *catzinas* follows. He asserts that Mendizábal gave the Indians permission to dance the *catzinas*,] although the religious

have distinctly prohibited it, and the secular governors previous to Don Bernardo López de Mendizábal as well, because it expresses idolatry and worship of the devil. [He says that, before performing the first variety of this dance, the Indians fast two or three days,] and after the fast is ended comes the day of the dance, when the naked dancers put on their faces a kind of hood or mask, with a small hole through which they can see a little; these masks are made of cloth or buckskin; [folio 77] and they also put on other masks, dyed black. Those who wear these are the most idolatrous. Before they come out in public they practice in their underground council chambers, and when they come out in public one of them puts the offering of the things mentioned in the place where the dance is to be performed. The other dancers perform the dance around the offering. The language used is a tongue which is not understood, even by the Indians themselves, or at least they are unwilling to say more than that it is the language of the devil. If they are asked for what purpose they perform these dances, they say that it is to obtain the woman they desire, and that the devil will give her to them, or, that he will give them corn, or any other particular thing they request. One or more of them seize small palm leaves, and cruelly beat until they bleed one or more of the dancers who desire to make that sort of blood sacrifice to the devil; they all become so frenzied that they seem to be beside themselves without having previously taken any liquor whatever which might intoxicate them. Sometimes they leave this dance and enter any house which they care to, and enjoy the woman who seems pleasing to them.

In the second variety of this dance there is no fast, though there is sometimes a ritual of discipline in the form indicated, always with the masks on. They perform the dance, singing in that unknown tongue, and, having danced, go to whatever house they desire, and have carnal intercourse with women as closely related as has been said. About the end of September or the beginning of October of the past year, 1660, this witness knew that the *catzina* was performed in the plaza of the villa of Santa Fé by command of Bernardo López de Mendizábal; this witness was told so in the pueblo of Senecú, about fifty leagues from the villa of Santa Fé, by Juan de Mondragón, *encomendero* of the pueblo of Senecú. It was on the occasion mentioned that Juan de Mondragón went to see whether Father Fray García de San Francisco had taken the Indians for the Mansos, at which time he was asked by Father Fray Miguel de Guebara what the facts were about the dancing of the *catzinas* in the villa. To this inquiry Juan de Mondragón replied quite openly that he himself had seen the dance; that the offering had been made in it, consisting of a number of water-melons, and that the Indians had beaten each other. The occasion of the performance of the *catzinas* was the fact that some of the Indians had come to complain to Don Bernardo López de Mendizábal that the religious would not allow them to perform this dance, whereupon he told them that they might do so, and he commanded them to perform it, as they did, dressing themselves in the hoods or masks in a new room which Don Bernardo López de Mendizábal has built in the royal houses; thence they went out to the plaza to dance. Afterward, Don Bernardo López de

Mendizábal commanded that all the pueblos should come to perform this dance in the villa by his order. Father Fray Diego de Santander told this witness in the convent of Senecú on the twentieth or the twenty-second of the month of October, that an Indian [folio 78] called Don Esteban Clemente, governor of Las Salinas and Pecos, who is a very able man, intelligent and a good Christian, told him that he had seen the *catzinas* danced in the villa of Santa Fé, and that all its bad features were included; it had also been danced in the pueblo of San Miguel de Taxique in Las Salinas by command of Nicolás de Aguilar, *capitan á guerra* of the district of Las Salinas.

[He deals with the case of Fray Francisco de Acevedo, who is accused of having forced an Indian woman in the pueblo of Alamillo,] for he obtained testimony to that effect from a man of the age and qualifications noted. . . .

[Fray Francisco de Acevedo was] more than eighty years old, a great religious, and had been in the conversions of those provinces more than thirty years. . . . [Folio 79. This same was told to him by Mendizábal himself] in the pueblo of Cuarac, where he told this witness what he had done on his visitation, delighting in the affair, and telling the incident with jest and much laughter. . . . [He relates the case of the reception in Socorro and in San Gregorio Abó with Father Fray Antonio Aguado (Abó is twelve leagues from El Socorro). He also narrates the case of Cuarac, with the same witness, Father Freitas. Pedro de Leyva accompanied Mendizábal. He relates the case of the Indian of Cuarac, Domingo Muquide. Folio 80. He mentions an Indian who "after being baptized went over to the heathen." The case of the Indian, Máijiri of Cuarac. Folios 81 to 84. The cases of Nicolás de Aguilar in Taxique, and the cases of Galisteo.]

[Folio 84.] And Father Fray Diego de Santander said to this witness in the pueblo of Jumanas and in the pueblo of Senecú in the presence of the religious mentioned, to wit, Fray Francisco de Salazar, Fray Miguel de Guebara, Fray Salvador Guerra, Fray Miguel Sacristán, Fray Diego de Parraga, and Brother Fray Francisco de San Buenaventura, these religious being in conversation, as was their custom, that Nicolás de Aguilar, whom Don Bernardo López de Mendizábal made *alcalde mayor* of Las Salinas, had made a proclamation in the pueblo of Humanas—and Father Fray Diego de Santander heard it from the window of his rear cell, the *alcalde mayor* himself making the announcement in Spanish and having it translated into the Tompira language by an Indian named Andrés who knew Spanish—to all the Indians of the pueblo, who were gathered together in the plaza—and it is the most populous pueblo in those provinces, whither they gather from all sides for trade in antelope skins and corn—that they might live as they liked, and that they should not be punished for any fault by the father, the *fiscales*, or the captains. This witness is of the opinion that this proclamation did not originate in the head of Nicolás de Aguilar, but that it was made by order of the governor, Don Bernardo López de Mendizábal. . . . And as evidence that the proclamation thus made by Nicolás de Aguilar was put into practice, he says that in the pueblo of Tabira, which is a visitation of Humanas, of the jurisdiction of

Las Salinas, the Indian captains, who are the justices of the Indians, brought before Nicolás de Aguilar two Indians who were taken in illicit relations, and Nicolás de Aguilar chided the captains because they brought them, allowing them to go free and unpunished. The witness knows this from having heard Father Fray Diego de Santander expatiating about such an evil. In the pueblo of Cuarac, where this witness was minister and *guardián*, it happened that when some little Indian girls had been absent from mass and the teaching of the doctrine, he had four blows administered to them by the hand of the Indian *capitán mayor*, named Juan Higuano; when this became known to Nicolás de Aguilar through complaints of the little Indian girls themselves, he sent to summon the said Indian captain to the pueblo of Taxique, and had him whipped because he had whipped the little girls. . . .

[Folio 85.] It happened last year, 1660, in the month of June, that the pueblo of Humanas, which is a new conversion, or one of the new ones which up to this time has had no resident minister, was celebrating the festival of San Buenaventura, the patron saint of the pueblo, and the father *guardián* and minister, Fray Diego de Santander, invited this witness who was *guardián* and minister of Cuarac, ten leagues away. In order to celebrate the festival with a sung mass, the witness brought from Cuarac some twenty Indians, cantors and sacristans, with the ornaments. When these cantors and sacristans had arrived at the pueblo of Humanas, for no reason whatever except that the said Indians had come to assist in the mass and bring the ornaments for the festival, Nicolás de Aguilar had each one of them given fifty blows, in the pueblo of Cuarac, so that the poor things have not since then dared to take part in any sung mass, wherefore the divine service has been impeded.

And when Father Fray Antonio Aguado was in the pueblo of Abó as *guardián* and minister of the doctrine, inasmuch as that language is very difficult to learn and there is no grammar, nor is there for the other languages of New Mexico, Father Fray Antonio Aguado made use of an Indian named Bartolomé, who understood Spanish, administering the sacraments to the Indians through him, and supplying through him whatever he himself lacked from ignorance of the language for administering and preaching to the Indians. Nicolás de Aguilar, knowing this, commanded the interpreter in no wise to enter the convent, under penalty of two hundred lashes; whereby Nicolás de Aguilar did on his own account place an impediment in the way of the administration of the holy sacraments and of the spiritual welfare of those souls. . . . For this cause Fray Antonio Aguado resigned the office of *guardián* and left it, although afterward, in obedience to the vice-custodian, he returned to the *doctrina* to endure the same, and even greater, difficulties. For Nicolás de Aguilar, deserting the house which he has on his farm in the jurisdiction of the pueblo of Chililí, has gone to live in the pueblos of the jurisdiction of the *alcaldía mayor* of Las Salinas, whither he went, in pursuance of orders given by Don Bernardo López de Mendizábal, solely to prevent the Indians' attending to the service of the religious or of the Church. As a result, this witness while in Cuarac was obliged to go to the forest [folio 86] for

firewood and bring it home on his shoulders, though he was a priest; and Father Fray Diego de Parraga was obliged to cook the meals, though badly, not knowing how, because [Aguilar] would not give them an Indian to serve them. Furthermore, they receive no obvention whatever, not even for marriages, interments, vigils, feasts of patron saints, or for any other service; on the other hand they are always giving the Indians what they themselves have.

[There follows the case of Taos:] Father Fray Salvador Guerra was in the pueblo of Taos, building the church of that pueblo, which the Indians had destroyed in past years, killing the minister . . . when the Indian, Francisco, etc. [Father Guerra resigned and abandoned the *doctrina*.] When Father Fray Diego de Santander was in the pueblo of Humanas, enlarging, or, as he says later, building from its foundations the church and convent of that pueblo, Don Bernardo López de Mendizábal commanded under penalty of death that no Indian should work on the structure; but the Indians continued at great risk in the construction of the edifice, for they had no church.

[Folio 87.] When Fathers Fray Diego de Parraga and Fray Fernando de Velasco, former ministers of *doctrina* of the pueblos of Las Salinas, arrived at the convent of the pueblo of Senecú, (says Freitas) they were asked by this deponent why they had come and had left their charges alone without a pastor; they replied that [it was on account of] Nicolás de Aguilar, and that all the religious would have to leave their *doctrinas* or else the convents would have to lose all that they possessed, for this Nicolás de Aguilar, in the pueblos of Cuarac, Tagic [Taxique], and Chililí, kept the ewes and sheep of the convents closed up for thirty-eight hours, and some of them died from it.

[There continue accounts of impertinent speeches, insults, and calumnies against the religious by Mendizábal. He mentions Pedro de Leyva as a resident of the jurisdiction of Taxique. He confirms, by declarations, the case of Diego Romero with the Apaches. He says (folio 88):]

Don Bernardo López de Mendizábal, in the month of August of the past year, 1660, sent out Diego Romero and five other men. . . . And although this deponent gave them provisions in the convent of Senecú, he only remembers one of them, who was named Juan de Moraga, a half *mestizo*, a blacksmith by trade, and it was to him that the deponent gave the provisions. They were sent to the buffalo plains to barter for skins of buffaloes and antelopes, on which errand they were gone about a month. When they arrived at the rancherias of the heathen Apaches, after Diego Romero had told the Indians the purpose of his journey, he asked them if they did not remember his father, and he gave them to understand by signs that he was a ruddy man who had come at such and such a time, indicating it, and that he had left a son with an Indian woman among those heathen, and that he himself was going to leave another. When this had been discussed among the Indians, they arranged as follows: At about four in the afternoon they brought a tent of new leather and set it up in the field; [folio 89] they then brought two bundles, one of antelope skins, and the other of buffalo skins, which they placed near the tent. Then they

brought another large new buffalo skin which they stretched on the ground and put Diego Romero upon it, lying on his back. They then began to dance the *catzina*, making turns, singing, and raising up and laying Diego Romero down again on the skin in accordance with the movements of the dance of the *catzina*. When the dance was ended about nightfall, they put him again upon the skin, and taking it by the corners, drew him into the tent, into which they brought him a maiden, whom they left with him the entire night. On the next day in the morning the captains of the rancherias came to see whether Diego Romero had known the Indian woman carnally; seeing that he had known her, they anointed Diego Romero's breast with the blood. They then put a feather on his head, in his hair, and proclaimed him as their captain, giving him the two bundles of skins and the tent. When the traders arrived on their return at the convent of Galisteo, which is the nearest one to the plains mentioned, the other men, who had gone with Diego Romero, gave an account of the affair to the father *guardián* of the convent, Fray Nicolás de Villar . . . and the father *guardián* wrote it down and had it signed by these men.

[He gives an account of the butchery of captive Apaches by Juan Domínguez:] And among them he brought an Indian of great age; such as whom they ordinarily hang or shoot. . . . [This one he hanged. Mendizábal gave information against the life of the religious, desiring to send his report by Tomás Domínguez, who refused to take it to Mexico. Lawsuits with Nicolás de Aguilar in Cuarcac, Taxique, and Chililí. The causes of these suits are always the same, namely, the orders of Mendizábal and the abuses of Aguilar in the execution thereof.]

[Folio 99. Father Freitas (still a witness) presents a writing from Mendizábal directed to Fray Diego de Santander, *doctrinero* of "Umanas and Tavira." It is dated July 20, 1660. He declares that all contained therein is pure falsehood.] Everything which this paper contains shows the great hatred which Don Bernardo López de Mendizábal has for the religious, charging falsely that the fact that the Indians do not attend mass and the teaching of the doctrine is because they flee from the excessive work which the religious make them do under guise of instruction in the mass and the doctrine. The truth is that they do not attend either of them because of the action of Don Bernardo López de Mendizábal and his ministers who execute his orders. . . .

[Folio 100. Fray Nicolás de Freitas continues:] He said that what he has to say concerning the contents of the paper which he presented yesterday . . . written by Don Bernardo López de Mendizábal to Father Fray Diego de Santander, is: As to the matter of his saying falsely that the Indian men and women of the pueblo of Los Humanas were drudging at raising water by hand from a depth of fifty *estados* for the purpose of watering a thousand head of sheep and goats and a hundred head of larger cattle, this deponent says . . . that all this is a lie, for the deepest well is about ten *estados* deep and no more, and there are wells which are only from four to five *estados* deep; the whole number of the wells is thirty-two, and the smaller livestock will number at the outside some four hundred, and the larger cattle not more than six or eight plow-oxen. It is only to

trouble Fray Diego de Santander and cause him to be the one to drudge at raising the water that Don Bernardo López de Mendizábal says this in his paper, and that is why he gave orders to have the Indians taken away from him. Don Bernardo López de Mendizábal lies even more openly in saying that he was the only governor who had visited the town of Los Humanas to set the Indians free from so much labor, for he never went there, but sent his *alcalde mayor*, Pedro de Leyva; other governors have gone, as did Don Juan de Samaniego, who is at present in this city.

[There follows the case of Fray Benito de la Natividad in Socorro. (First *cuaderno*.) Folio 101:] . . . And so that this Holy Tribunal may better know the very malicious cunning of this method by which Don Bernardo López de Mendizábal attempts to defame Father Fray García de San Francisco, it must be explained that Fray García de San Francisco is the only religious who knows and preaches in the Piro language, the language of the Indians of the pueblo of El Socorro and of the pueblos of Senecú, El Alamillo; and Sevilleta; he also can make himself understood by the Indians of the pueblos of Umanes [*sic*], Abó, and Tabira. . . .

[Mendizábal was making his visitation in Cuarcac on November 3, 1659, and was supping with Father Freitas in the convent. Folio 102. Mendizábal said to Freitas, speaking of the liaisons of the Indians:] How was it that the Indians went to tell of these liaisons to Fray García de San Francisco and not to their own *guardián*, Father Fray Benito de la Natividad? To which this deponent replied, knowing his artfulness and malice, that this happened to all the fathers, just as it had happened to him and to Father Fray Diego de Parraga in the beginning; and that before this deponent knew the language of the Tiguas, the Indians of the district of Las Salinas, these Indians went to tell all that they had to say to Father Fray Diego de Parraga, because he understood their language better than this deponent did. Therefore it ought not to be said for this reason that Fray Diego de Parraga revealed the secrets of the confessional. So also, the fact that the Indians went to Father Fray García de San Francisco was because he was the only one who understood their language, whereas Father Fray Benito de la Natividad needed an interpreter, for the Indians suspected with reason that they would be betrayed after having made their declarations by means of an interpreter. Thereupon . . . Mendizábal was silent. . . .

[FOLIO 103.] COPY OF A LETTER FROM MENDIZÁBAL, DATED JULY 20, TO FATHER FRAY DIEGO DE SANTANDER, "DOCTRINERO OF UMANES AND TAVIRA"

[The letter is very insolent; it contains the accusation concerning the wells and the cattle, given above. It also says:] . . . so much so that only one governor has visited them, it being very difficult. I myself made the visit when I was in Abó, six leagues from that district; and your reverence gives no assistance because you are a *doctrinero* and desire to build sumptuous edifices and even change the pueblo, and it isn't likely that even this would content you, father, according to your mode of procedure. As to their not having had a *doctrinero* for twenty-nine years, I do not know,

but it would seem to be true, as it is of all the other pueblos of this *custodia*. . . . [Mendizábal lies barefacedly. See the first *cuaderno*. The original letter of Mendizábal is there too, and corresponds literally to the copy.]

[FOLIO 109.] ORDER OF THE VICE-CUSTODIAN, FRAY GARCÍA DE SAN FRANCISCO, TO THE RELIGIOUS OF NEW MEXICO, FEBRUARY 6, 1660

. . . Furthermore, inasmuch as it is evident to us that the natives of certain pueblos are in great need, I beg of your reverences that in the convents which have sufficient supplies for the purpose, there shall be given every day at the doorway food to all the natives who are manifestly in need; and in the convents which are now doing this praiseworthy, let them continue to do so with all charity. . . .

[FOLIOS III TO II5.] A REPRESENTATION FROM THE DEFINITORIO OF NEW MEXICO TO THE VICEROY, OCTOBER 16, 1660

[They say that they are ready to abandon their *doctrinas* unless a remedy is found for the vexations committed by Mendizábal.]

[FOLIO II6.] LETTER FROM FRAY GARCÍA DE SAN FRANCISCO TO THE INQUISITOR, DECEMBER 10, 1660

[Speaking of Taxique, he says:] Since my last despatch, the Indians of Taxique have by his [Aguilar's] command returned to idolatry; they bring out into the plaza publicly little temples full of idols in order to worship them and make offerings to them, and this situation cannot be remedied. . . . [This is said against Aguilar, who authorized these dances. There follow various original letters from *doctrineros* of New Mexico confirming the preceding depositions. In particular Fray Salvador Guerra, Isleta, November 20, 1660, writes that in that pueblo, (folio 106)] at that time there arrived at the door of the communal house, where the governor, his secretary, all the Spaniards, and the whole pueblo of Indian men and women were, a group of the *catzinas*, with the dancers all dressed to represent the devil. There they performed their songs, their lashings, and their infernal ceremonies as they did in the days of their heathenism at the instigation of the devil. This pleased the governor very much, and he made a speech commanding the whole pueblo to dance the *catzinas* and all their heathen dances and saying that they might indulge in idleness just as their forebears had done; [he also said] that the friars were a lot of impostors, that they had deprived the Indians of their entertainments as a punishment, and if they would give nothing to the friars he would permit them to indulge publicly by day and by night in all that their ancestors had taught them in the way of dances and idolatries. With this liberty of conscience [conferred upon them] the old men went away, and at sunset they returned to the communal house to dance another *catzina* for that evil governor, with their costumes, masks, and such infernal singing that it was horrible to see them. The governor was much pleased and again made a speech in discredit of the holy evangelical ministers, saying that it

was evil and contrary to our holy Catholic faith for them to have done away with all those rites and superstitious dances. [He confirmed this statement about the dance in another letter, dated November 22, 1660.]

[FOLIO 123.] LETTER OF ESTEBAN CLEMENTE, PUEBLO OF HUMANAS,
NOVEMBER 30, 1660

[It bears the certificate of Fray Diego de Santander, San Buenaventura de Humas, to the effect that] Don Esteban Clemente, native Indian governor of the pueblos of Las Salinas and Tanos, a very capable interpreter of six Indian languages of this kingdom, composed [this letter], and wrote it in my presence. . . . [Clemente says (folio 123) touching the *catzinas*:] As to what are the *catzinas* which the Indians of this land dance, and why they do it, I say that I certify and make oath that some of them have very ugly painted masks; certain of the Indians put them on and go to dance in them, and make the people think that they come from the other life to speak to them. There are other dances in which they fast; they fast as many days as they can, and afterward the one who has fasted distributes some feathers to those whom he knows, who are the fortunate ones. On the day on which the *catzinas* are to be danced they sweep the plaza of the pueblo, and the faster, as an acolyte, places on the ground some feathers and flour, and he who fasted stands upon it; they do the same thing when they reach the north, west, and south sides of the pueblo. Then they lead him to an underground room to give him certain drinks; all this they do in order to have good fortune and to be brave. There are other dances called *catzinas*, in which many people come out with masks on, to dance in the costume of men and women, all of them being men. The purpose for which they do this is not known. They perform other dances, in which they worship an idol, and each one offers him whatever he likes, and they set up an altar. These are the *catzinas* which I know to be evil, although I have heard that there are others; but as I have not verified these superstitions I do not certify to more than this. I also certify and make oath that in the pueblos of Cuarac and Taxique, in my jurisdiction, Captain Nicolás de Aguilar, *alcalde mayor* of these pueblos, commanded the Indians to dance the *catzinas*, and they danced them. I also certify that in these five pueblos of Las Salinas, which are in his jurisdiction, he commanded all the captains, *alcaldes*, *topiles* [*alguaciles*] and *fiscales* of the churches not to punish anyone for any fault or evil which they might do. And there were brought to him by the justice of a pueblo in my jurisdiction and in my presence three persons who were living in concubinage, for him to punish them, but he . . . without punishment or reprehension. All this is the truth and I have seen it and heard it, and because there is no notary nor is one made use of in this land, I certify and make oath on my own behalf to all that is herein contained. Dated in the pueblo of Xumanas [*sic*], November 30, 1660.

(Signed) D. ESTEBAN CLEMENTE.

[FOLIO 155.] DECLARATION OF DON JUAN MANSO, JULY 12, 1660

. . . A person from El Parral notified Don Bernardo López de Mendizábal, present governor of New Mexico, that a commissary of this Holy Tribunal was coming to seize him, whereupon he said that before that commissary could seize him he would hang him to a tree (indicating with his hand a tree which was there). Then, though the sky was serene, clear, and without clouds, a little cloud came up with a tempest and a ray of lightning fell, which reduced the entire tree to ashes. . . .

[There follow declarations concerning the ray of lightning, and (folio 157) the witness, Gerónimo de la Puente, testifies that they called Mendizábal "Don Quixote." According to the deposition of Juan de los Reyes Marchena (folio 160), Mendizábal wanted to cause the arrest of a certain person who settled in Nueva Vizcaya, but the soldiers did not obey him. On the same occasion (July 15, 1661), the witness certifies:] Also in the month of last June of the present year, when the deponent arrived at the post which they call Quiseo, two leagues from Quencamé, on the day following his arrival, Don Diego de Peñalosa arrived at the same post with his appointment as governor. . . . [With him came Fray Nicolás de Freitas, and Peñalosa said that Freitas "brought the order of this Tribunal to arrest Don Bernardo López de Mendizábal. . . ." So Freitas returned to New Mexico in 1661.]

[FOLIO 162.] LETTER OF FRAY ALÓNZO DE POSADAS, TO THE HOLY OFFICE,
MAY 23, 1661

I arrived in this *custodia* and kingdom of New Mexico on April 28th of this year, 1661. . . . As is publicly and notoriously known to all the inhabitants of this kingdom, and as I found in this *custodia*, the Indians are openly idolatrous, dancing superstitious dances with the permission of Don Bernardo Mendizábal, governor of these provinces. Knowing the great danger to their souls which falls not alone upon the natives but also upon those who see these dances, especially those of low degree, such as the *mestizos* and mulattoes . . . and it being my duty to provide the remedy, both because I am custodian and ecclesiastical judge, and because I am the commissary of your very illustrious lordship, I commanded Father Fray Diego de Santander to read, on the Sunday which they count . . . from this, the letter in which the various illicit dances are prohibited by your lordship. It was read in this convent of La Isleta on that day at high mass; and I was afterward told by a Spaniard that there had been [maintained] openly in this pueblo a council chamber or room below the ground, which was full of idols, offerings, masks, and other things of the kind which the Indians were accustomed to use in their heathenism, and that the same condition prevailed in the rest of the pueblos, or at least in most of them. I ordered the father secretary to take with him the father *guardián* and minister of this convent and two other Spaniards, and go to this council chamber or temple, for such they say it appears to be, and to take away all the paraphernalia and . . . bring them, which they did. I then sent orders to all the other ministers of this *custodia* to do

the same thing, and to report everything to me, and if anyone tried to prevent their doing it they were to advise me at once, giving all details. . . . and I have heard that a great quantity of objects of this kind has been collected as a result. . . .

[FOLIO 165.] EXCOMMUNICATION FULMINATED AGAINST NICOLÁS DE AGUILAR ON MAY 29, 1660

[There follows an *auto* by Mendizábal, in which he says:] Complying with the obligations of my office, and endeavoring to procure the conservation and protection of the natives which your Majesty charges so strictly, and being urged by the continuous complaints which they daily bring to me against their ministers, the *doctrineros*, representing the oppression which they have to endure from many of the latter, for even their own wives and daughters are taken away from them, the [teaching of the] doctrine and the administration of the holy sacraments being used for this purpose; and seeing that such enormous abuses demanded remedy, in order that the natives might have relief, I have represented in divers letters to Father Fray García de San Francisco, vice-custodian of those religious, that he should restrain them by the best means which he could use. In a letter which he wrote to me, dated from the pueblo of Chilili on May 19th of this present year, he gives me to understand what he wants to do, particularly with Fray Diego de Parraga, who is *doctrinero* of the pueblo of Taxique. Because he was near enough to do it, and to ascertain what ought to be done, he asked me to send him an Indian with his wife, who was in this villa and was one of the complainants, because the said *doctrinero* had attempted to force her after he had had relations of improper character with her for three years and had had a daughter by her. The vice-custodian also requested to have sent to him another married Indian woman from the pueblo of San Cristóbal, who notified him that she had come to complain that the *doctrinero* had forced her, and also to send any other women who had complaints against that religious, with trustworthy interpreters, as is made manifest in the letter mentioned. . . .

I therefore sent to command Captain Nicolás de Aguilar, *alcalde mayor*, etc., to aid the father vice-custodian in whatever might be necessary for the investigation, and to gather together all the women who complained of the ravishments of the *doctrinero*, and to take them with interpreters in order that they might be examined as requested. This was done, twenty-two women being taken from one pueblo alone within his administration to the door of the convent. And in order that [Aguilar] might know just which ones were making complaints and had grievances, so that only they might go and no others, he first questioned them through the interpreters extra-judicially, without taking written records or passing judgment, as to whether or not what they said concerning the religious was true, [these statements] not to be regarded as testimony. The father vice-custodian, warily attempting to obscure and conceal the evil procedure of the religious—as he has done with many others, of which action I have warned him—undertook, because he did not want to do as he ought, to say and pretend that the *alcalde mayor* had first examined those women, and that,

since this was a procedure against an ecclesiastic, he was therefore excommunicated. I have heard that five or six days ago, without legal documents and only by verbal orders, he sent to Humanas for the *doctrinero*, whom he brings with him to assist in such irregular proceedings, thus neglecting the *doctrina* and leaving it without a minister, though it is the most populous one of them. . . .

[The date of this *auto* is June 5, 1660. This *auto* prohibits the vice-custodian from exercising the ecclesiastical jurisdiction,] and on the contrary he was to abstain from everything not connected with the administration of the holy sacraments and that which appertains thereto. . . .

[FOLIO 166.] AUTO OF MENDIZÁBAL, JUNE 12, 1660

[He denies the jurisdiction of the custodians as ordinary ecclesiastical judges.] For the governors of this kingdom and the *cabildo* of this villa have always denied such jurisdiction. [He accuses the custodians of irregularities in giving matrimonial dispensations. There is a series of *autos* concerning this, as follows: By Diego Romero, June 14, 1660; by Juan González Lobón, June 16; by Fernando Durán y Chávez, etc. All are transcripts, sent to the viceroy by Mendizábal.]

[FOLIO 179.] LETTER OF BERNARDO LÓPEZ DE MENDIZÁBAL TO THE TRIBUNAL OF THE INQUISITION, SANTA FÉ, DECEMBER 12, 1661

[He attempts to mollify the Tribunal. He denies the marriage of Diego Romero among the Apaches. He speaks against Fray Alonzo de Posadas. He concludes against the friars:] And they say that they forced them, a thing much practiced in these parts, especially among the *doctrineros*, to whom the settlers are infamously subject; at times they have even obliged the settlers to fail in their obedience to the king and to rebel against their governor, as they did against Don Pedro de Peralta,⁶² whom they seized, and against Don Luis de Rosas,⁶³ whom they killed, and as they would have done to me had it not been for the punishment then inflicted, which is still fresh in their minds, as is the remembrance of those who were executed. . . . [He repeats the accusation against Manso of the double baptism.]

[Folio 187. Here begins the *cuaderno* entitled:] "Sworn statements given by the notary of New Mexico concerning the things which Don Bernardo López de Mendizábal and his wife have said." [Fray Salvador Guerra, *guardián* of San Diego de Jémez, testifies:] The arrest of Mendizábal and the attachment of his goods was effected in Los Mansos on November 22, 1660 [folio 196], by Juan Manso, *alguacil mayor* of the Holy Office, named by the commissary, Fray Alonzo de Posadas, on August 26, 1662[?]. [There follow documents concerning the arrest of the prisoner and his transportation to the City of Mexico.]

⁶² See note 7, *supra*.

⁶³ See note 5, *supra*.

[FOLIO 214.] DEPOSITION OF DIEGO ROMERO, MAY 5, 1663

[Age, forty years. He deposes against Mendizábal, also against Aguilar and others, his testimony being confirmed on February 12, 1664.]

[FOLIO 219.] DEPOSITION OF NICOLÁS DE AGUILAR, MAY 8, 1663

[A native of the pueblo of Yorerapudaro, Michoacán,] and a resident of Las Salinas in New Mexico, thirty-six years of age; his occupation, past and present, is that of a soldier in those provinces of New Mexico, having served the king, our lord, since he was ten years old. He has been sergeant and aide in the villa of Santa Fé, and *visitador* of the wagons of Andrés de Gracias, which went to the provinces of New Mexico; he has also twice been field captain of New Mexico and *alcalde mayor* of the jurisdiction of Las Salinas. One year and six days ago he was made prisoner in the pueblo of La Isleta in that kingdom by order of this Holy Office; he was brought here and entered the secret prisons, where he now is, on April 10 of this present year. . . .

[He was seized April 11, 1662, and turned over to the prisons of Mexico on April 13, 1663. He confirms, as follows, the accusations against Fray Diego de Parraga:] He went with Diego González, *alcalde mayor* of Los Junos [Jumanos], to the pueblo of Taxique . . . to investigate a certain calumny which had been spoken against one of the religious. The accused said to the prelate that the Indian women were living in illicit relations there with the said religious, and that he had already made the investigation, which showed that the religious was an infractor of the ecclesiastical immunity and a transgressor of that which had been ordered by decree and by the canon of the bull. . . . The said prelate and ecclesiastical judge made a report of what the accused had said and done, and declared him excommunicated because he, a secular, had dared to initiate a case against a person belonging to a religious Order and hence exempt.

He said that an Indian named Francisco Mutra went to Don Bernardo López de Mendizábal to complain, in the presence of Fray Luis, whose surname he does not know, but they call him Fray Luis de Granada. . . . This Indian said that Father Fray Diego de Parraga of the pueblo of Taxique kept taking his wife away from him at night to sleep with her, and that he had had a daughter by her, and that this had been going on for a period of three years, and that the accused had had this daughter in his house, bringing her up. Then Don Bernardo de Mendizábal sent for the accused, and asked him how it was that he had the children of Fray Diego de Parraga in his house bringing them up. The accused replied that he did not have them, whereupon Don Bernardo replied that the Indian said that he did. The accused asked the Indian if he himself was bringing up the daughter [folio 220] of the Indian woman in his house; the Indian replied that he was not bringing her up in his own house, but in the house of a sister-in-law of his, named Inez de Gracia. Then Don Bernardo López de Mendizábal gave the accused an order in writing to go with the said Indian, under penalty of two hundred pesos, for it was conducive to the service of both Majesties as well as to the good of both the woman and

the girl that they should be brought into his presence. The accused went twenty-two leagues with the Indian, and executed the order, bringing the Indian woman and her daughter, the Indian who was her husband sending her on ahead. When he had taken her out of the pueblo, Fray Diego de Parraga, who was *guardián* of the said pueblo of Taxique, summoned the accused and asked him what the trouble was; the accused answered that the Indian had complained . . . that the father was taking his wife away from him at night. Fray Diego de Parraga replied that it was the truth, that he had gone there one night to see the girl, who was his daughter, such were his sins, and to take her some chemises. He said that as a man he had enjoyed the woman carnally, and that he was at fault for not having sent the girl with Juan de Mestas, who had asked to be allowed to take her to this city with her brothers. This Juan de Mestas, who is in this city, will tell the truth concerning the matter. . . .

Later, Don Bernardo sent this Indian woman and the girl, and another Indian woman also, from the pueblo of San Cristóbal, who had complained that Fray Diego de Parraga had forced her three times in his cell, whither she had gone to get corn. As has been said, the governor sent these Indians to the pueblo of Taxique with Diego González Bernal, who was *alcalde mayor* of Galisteo, with the order that the two Indians, and the other women who had denounced Fray Diego de Parraga for having enjoyed them carnally, should make their denunciation through an interpreter, who was an Indian named Pedro Chuza, whom Fray Diego de Parraga had cruelly beaten because he did not bring him the Indian women at night. The accused and Diego González were to gather the Indians together and take them before the custodian, Fray García de San Francisco, who was to examine them in the presence of the accused and of González, against Fray Diego de Parraga. To each of the above this order was given in writing.

The accused ordered the Indians gathered in the community house, together with the [other] Indians who had denounced the friar, and he also brought the Indian interpreter to them; and when they were assembled, the accused told them to see that they told the truth, that Fray Diego was a priest and that no transcript of the proceedings would be taken, so that they might tell whether they had been urged [to testify]. They all replied that they had not been urged or threatened, but that what the interpreter said was true. There were present Diego González and an Indian named Don Clemente, governor of the entire province, who was the one who interpreted at the time when the accused questioned the Indians without writing anything. Then they took the Indians before the custodian, Fray García de San Francisco, so that he might examine them in their presence, in conformity with the order of Governor Don Bernardo de Mendizábal. Fray García drew up the process, asking how it was that they had said that they carried such an order. He also ordered that the accused and Diego González should sign the process. This they were unwilling to do, saying that they merely had orders to bring the Indians and to be present at the examination, but not to sign anything. Then the secretary of the father custodian, who was Fray Diego de Santander, asked the

accused to have the Indian, Don Clemente, sign, but the accused told the latter not to sign as he had no order to do so. Fray García responded that if they would not sign he could not examine the Indian women in their presence; whereupon the accused said that he would report to the governor, and do as the latter ordered. This, in fact, he did; the governor ordered them to turn the women over to the father custodian so that he might examine them, but to remain on the alert at some distance to see that the women were not mistreated. It was for this that Fray García declared the accused excommunicated, fined forty pesos for an alb, and ordered that he be notified of the fact and sign it; but he was unwilling to sign, saying that if he had merited excommunication it was grievous to him as a Christian, but that he could not sign until he had reported to the governor. . . . And the governor presented a petition to the custodian praying that he would absolve the accused by virtue of a royal provision which exists in that kingdom for the purpose. He went with it and with Miguel de Noriega, his secretary, to the father custodian, who notified him to appear before the señor archbishop of this city within ten months. Miguel de Noriega replied that he would take the matter under his own responsibility, and that because the accused was very busy in that jurisdiction, he should be absolved for love of God. In fact, he absolved him. This is what occurred in the case mentioned in this article, and nothing else.

[Folio 221.] Upon the occasion mentioned, the prelate and ecclesiastical judge sat in the form of a court; and while the court was drawing up with its secretary the heading of the process, it questioned judicially the accused and Diego González as to how it was that they, being laymen and secular persons, desired to be present at the examination of witnesses against ecclesiastical and religious persons. To this the accused replied: "I do not know; my governor commands me to do so, and I must be present." The ecclesiastical judge commanded them under censure not to be present, but to go away. Then the accused, rising from the place where he was, putting on his hat and turning his back, replied to the judge that he did not care for all the excommunications in the world. Thereupon the judge concluded, saying that he did not wish to proceed with people who had no fear of God nor of censures, and that the terms in which this accused replied were bold, scandalous, and in scorn of censures. . . .

After this occurrence, the accused being in the pueblo of Chililí, a certain religious person went to ask him not to execute so rigorously the orders of Don Bernardo López de Mendizábal, and to give him an Indian to accompany him on his return to another pueblo which was eight leagues distant, and also to ask him not to beat a certain Indian musician for having gone to sing mass at Humanas. The accused replied in the presence of other religious that he had to do all that Don Bernardo, his governor, commanded him. . . .

He said that the accused, when he was in the pueblo of Chililí, tried to have his daughter baptized, and wanted Fray Fernando de Velasco, *guardián* of that pueblo, to baptize her in his house, as is customarily done in those parts on account of the extreme cold, by pouring water on those who are baptized; afterward, when the weather is good they are taken to

the church, where they receive the sacred oils in due form. . . . At this time Fray Nicolás de Freitas and Fray Diego de Parraga arrived at the convent of the said place from the pueblo of Humanas, having returned from there a distance of eighteen leagues, leaving their administrations and merely wandering about. . . .

[Violent words passed between Fray Nicolás de Freitas and Aguilar in the convent of Chililí. Folio 222. He goes on with his deposition:] The minister of *doctrina* of that pueblo of Cuarac having commanded that four lashes be given to an Indian woman who was living in concubinage with an Indian named Domingo Muquita, and having admonished her to give up her evil friendship, she went to complain to the governor, saying that the parish priest had had her whipped because she had been living in concubinage for six years, which was true, and [the accused] could only say to him that he should not have her whipped again. The governor kept her in his house without punishing the dereliction; on the contrary, he commanded the accused to chastise the Indian *fiscal* who had given the woman the four lashes so that he should not strike her again nor punish the Indians who lived in concubinage. This the accused did; he seized the Indian *fiscal* and punished him in public, saying that he was ordering the *fiscal* to be whipped so that he should not again whip or punish an Indian, man or woman, for any crime whatsoever; this not only caused wonderment among the Spaniards, but was also the cause of great scandals among many of the Indians, some of whom took the liberty to live according to their appetites and unrestrained desires.

[He says that Father Freitas cropped the hair of an Indian woman and beat her "savagely." He does not know why. Mendizábal had six lashes given to the *fiscal* who whipped her.] The accused, being *alcalde mayor* of Taxique, commanded the Christian Indians subject to him to dance the diabolical dance of the *catzinas* under penalty of lashes, stipulating that he himself was to see the dance performed, as they frequently did in his presence. Once when there was a great deal of snow the Indian *catzinas* went up to the roof of the church where they began to dance their superstitious dance very noisily. At this time the accused went to the convent and asked the father minister of *doctrina* how it was that he had ordered the Indians to dance the *catzinas* on the roof of the church. "It must be all right, as your reverence orders it done." The priest replied that it was false, that he neither commanded nor lent encouragement to things that were offensive to God, our Lord; the religious then called out, and an Indian sacristan of the convent told him that it was the accused, Nicolás de Aguilar, who had given the order. . . .

He said that the order to perform the *catzinas* did not emanate from himself, but from Don Bernardo López de Mendizábal, who commanded that it should be danced throughout the kingdom. . . . Not only in the pueblo of Taxique, but also in that of Cuarac did the accused command that the *catzinas* be danced, though they had previously been prohibited by the religious ministers and by the royal judges; and in order to make the Indians bold to do it, as they became, he gave them the lawless council that they should have no fear of the friars, for these could do nothing. . . .

He said that the governor, Don Bernardo López de Mendizábal, ordered generally throughout the kingdom that this dance should be performed. The Indians asked the accused to let them dance it, and he told them that they might do so, since the governor permitted it, if they did nothing evil, but if the accused found that they did anything bad he would have to punish them terribly, and they replied that they would do nothing offensive to God, our Lord. . . .

[He confirms (folio 223) what has been stated previously in both *cuadernos*, to the effect that Aguilar as well as Mendizábal assured the Indians that they should pay no attention to the friars. Folio 224. The friars. There were several additional witnesses, as it appears, whose names were not given in the document, as is seen from the following:]

Item: The witness said that when Nicolás de Aguilar was dining in the cell of a certain religious in the pueblo of Cuarac, at the moment when a religious was making chocolate with his own hands for Nicolás de Aguilar to drink, the Indian chiefs and captains entered the cell and asked permission of Nicolás de Aguilar to take the people out and reap the wheat of the convent for the sustenance of their minister, for they grieved to see that the father himself went alone to the harvest. But Nicolás de Aguilar was unwilling to permit it; on the contrary, he became angry and haughtily commanded the captains not to reap the wheat nor serve the father, for if they did he would give them one hundred lashes; for such was the command of his governor, Don Bernardo, etc. Through these rigorous acts the ministers were perishing, so that by twos and threes they were being obliged to desert their *doctrinas*, as did Fathers Fray Diego de Barragán, Fray Nicolás de Freitas, Fray Antonio and Fray Fernando de Velasco, who resigned his *doctrina*, whereupon the prelate commanded him to exercise the merit of obedience by persevering until death if necessary, and made him take charge of three pueblos, which he now had in his care.

Aguilar said that he was unable to order that the Indians should reap the wheat except by command of the governor; nor would he in any case issue such an order. Rather it was the pleasure of the Indians that the fathers should take care of the harvesting of all the fields, while the Indians took charge of all the animals of the convent, lest they become lost. Such was the order of Fray Fernando de Velasco when he went away from his *doctrina*, leaving there a lay brother named Fray Francisco Flores, and Fray Juan Ramírez, the old man, who took charge of enclosing and caring for the harvest, as old Fray Juan Ramírez will testify, for he is in this city, whither he came when the accused did after the religious died in the pueblo of Chililí. . . .

As to the command that the *doctrineros* should not whip the Indians . . . this was given by Don Bernardo López, who will give an account of the order; aside from commanding it in general, he also commanded it and said it to the Indian governors and captains themselves when they went to see him at New Year's for the confirmation of their offices.

[Folio 225.] He said that Don Esteban Clemente, governor of all Las Salinas, when he was in the pueblo of Jumanos, told the accused that the religious *doctrineros* wanted to leave, and that the accused should advise

the governor, Don Bernardo López, that they were going about looking for mules on which to travel. The accused notified Don Bernardo in the same letter which he had written him, to which the governor replied that if they wanted to go they might do so, and good riddance, and if they lacked mules he would give them some. . . .

[Aguilar continues deposing:] That he did no more than what his governor commanded him, as he had always done, without hatred for any one, much less for a minister in the service of God; that all these things had resulted from fulfilling what his governor had commanded him and from his aid to the natives in preventing their oppression; formerly there had been nothing of this, and he had been well liked, especially by the religious.

Another witness, sworn and confirmed at the time and in the manner in which he testified in this Holy Office on a certain day in the month of September of 1660, said that he had heard Don Bernardo López de Mendizábal say several times . . . that the friars of that kingdom ought not to reply to him, for he was their judge, and that he had the right to bring suits against them, which he had done in two instances. Once, by command of Don Bernardo López de Mendizábal, Nicolás de Aguilar, *alcalde mayor* of Las Salinas, brought suit against Father Fray Diego de Parraga and against Father Fray Nicolás de Freitas, *guardián* and minister of the convent of Cuarac, concerning the accusation that Father Fray Diego de Parraga had forty women friends, though he was a most pure and upright religious, as is well known to all the world; but on account of this Fray Diego de Parraga had to leave off serving as minister to the souls of those poor Indians, and retire to Cuarac. And Fray Nicolás de Freitas was also tried for the same reason, that of maintaining illicit relations [folio 226]. . . . He has already told that which happened to Fray Diego de Parraga, whom the custodian deprived of his *doctrina* during the investigation, and placed him in Cuarac. Nothing was ever proved against Nicolás de Freitas and the witness, nor was he guilty. . . .

Item: The witness said that Nicolás de Aguilar is a great knave, and he took more authority than Don Bernardo López gave him, for he caused to be brought to the community houses all the Indian women who were suspected of having illicit relations, and kept them shut up with a guard. On the morning of the following day he took them to the doorway of the convent of Taxique, there being twenty of them, and told the father vice-custodian that here were those Indian women who had had liaisons with the father *guardián*, Fray Diego de Parraga, and that he had already made his investigation. . . .

[Folio 228. Nicolás de Aguilar] said that he never gave the opinion to the Indians that they might dance the *catzinas*, nor did he know what dance that was; that the one who commanded them to dance was Don Bernardo López de Mendizábal. . . . [These testimonies were concluded on March 29, 1664.]

[FOLIO 231.] TESTIMONY OF DON DIEGO DIONISIO DE PEÑALOSA BRICEÑO,
MEXICO, JUNE 25, 1665

[He says that he is] a native of the City of Lima, and that eleven years ago he was in this city, in the offices of justice of this kingdom; that he is from forty-three to forty-four years old, and that his employment has been to occupy himself in the higher positions, political and military, of the service of the king, our lord; that it was eight or nine days ago that he was arrested by this Holy Office. . . . This accused person and witness was confined in the secret cells, and his goods were attached, because it had been testified against him that he had uttered heretical, erroneous, and offensive blasphemies, had aided in opposing the exercise of the proper functions of the Holy Office, and had committed various foolish and wicked acts against the honor of the Holy Office of the Inquisition and its ministers. . . . [He testifies against Mendizábal, who came to visit him in the month of November, 1661, when Peñalosa was living in the royal houses of Santa Fé, New Mexico. He alleges ignorance as his defense.]

[FOLIO 236.] LETTER OF FATHER FRAY ALONZO DE POSADAS TO THE
TRIBUNAL, SÁNDÍA, JUNE 12, 1664

[Speaking of the apostolic notary, he says:] That if on the past occasion the notary had been a secular officer, Don Diego de Peñalosa would certainly have hanged him; being a priest, it was imperative that he should exercise his office, on account of the great need of ministers which exists. There are not enough of them and their number also varies; they frighten them with tales and stories, and I do not wonder. They have tried to do the same thing with me in various ways, all addressed to a bad end. I even received a letter from a certain personage in the City of Mexico . . . attempting to terrify me and expressing resentment at the sequestration. And in order to draw up the present document it was necessary for me to name another notary to assist me, wherefore I named Father Fray Andrés Durán to certify over his signature to the statements made before him.

[FOLIO 237.] DECLARATION OF CAPTAIN FRANCISCO RAMÍREZ,
PECOS, AUGUST 3, 1663

[The Indians of La Isleta complained to Mendizábal that Ramírez had taken their lands from them.]

[FOLIO 239.] TESTIMONY OF DOÑA ESTEFANÍA ENRÍQUEZ,
GALISTEO, MARCH 19, 1662

[Against Mendizábal, and concerning his wife.]

[FOLIO 275.] INVENTORY OF THE THINGS WHICH MENDIZÁBAL BROUGHT
WITH HIM. APRIL 11, 1663

[He had a rosary and crosses, and "was dressed in a short plush gabardine with serge breeches, *fraolesca*, *yacano*. . . ." He had two small leather chests.]⁶⁴

⁶⁴ Ad. F. B., Mexico, July 20, 1912.

*Case of the fiscal of the Holy Office against Bernardo López de Mendizábal, governor of New Mexico, for heretical statements and for being suspected of the crime of Judaism.*⁶⁵ [Documents dated November 11, 1659–March 14, 1662]

ACCUSATION OF THE FISCAL, DON JUAN DE ORTEGA MONTÁÑEZ,
PRESENTED MARCH 14, 1662

[He says that Mendizábal] has done and said, and has seen done and committed, many things which are against our holy Catholic faith . . . performing and using Jewish ceremonies, as for instance dressing himself carefully on Fridays in clean clothes, first causing his feet to be washed. This he does, being a descendant of Juan Núñez de León, who was sentenced by this Holy Office and abjured vehemently suspicions against him of Judaism, as appears in his trial process. The accused accompanies these ceremonies with great repugnance to and depreciation of religion, showing a scandalous spirit opposed to religion, and great hatred of the ministers of the holy gospel. For these reasons, and because he utters heretical statements which are irreligious and scandalous [and opposed] to the free privilege of the church; [his loyalty to] our holy faith is greatly suspected. . . .

[FOLIO 5.] DECLARATION OF FRAY GARCÍA DE SAN FRANCISCO, SENECÚ, MAY 9, 1661. VICE-CUSTODIAN AT THAT TIME OF NEW MEXICO, AND PRESENT IN THE CONVENT OF SENECÚ. AGE, FIFTY-NINE YEARS

The heathen . . . came, and, according to their custom, set up a new tent, and brought thither a bundle of antelope skins and other hides; they then stretched out a new hide in the middle of the tent, and, calling to Diego Romero and making him seat himself upon it, they began to perform a dance which they say was a wedding dance, according to their heathen usage. When the dance was ended, they brought to him a young maiden, and he admitted her and slept with her. . . .

[Accusations against Mendizábal, already contained in the other *cua-dernos*, to the effect that he had forbidden the ministers to punish the Indians, and said that the natives were to live as they had formerly. Folio 6. Regarding the pueblos of Las Salinas. Mendizábal there had it proclaimed that the Indians might perform their dances,] of which fact Don Estevan Clemente, a native Indian governor of the pueblos of Las Salinas who lives in the pueblo of Abó, is witness, as are the religious of those pueblos, Father Fray Antonio de Aguado, Father Fray Fernando de Velasco, and Father Fray Diego de Parraga. This order Nicolás de Aguilar, the reputed *mestizo* who is *alcalde mayor* of the pueblos mentioned, caused to be proclaimed near the pueblo of Chililí. Before him were brought three women who were concubines in the pueblo of Tabira, and he sent them away without any punishment or reprehension. . . .

He also says that it is reported among the Spaniards and natives that when some Indians came to complain to Don Bernardo López de Mendizábal that the religious forbade them to perform certain dances per-

⁶⁵ A. G. M., Inquisición, vol. 593.

taining to their old superstitions (which all the other ministers in this land at the beginning, and those who are here now, forbid and have forbidden, because they know that they are superstitious dances), for the Indians say that the devil appears to them in these dances, Mendizábal commanded that they perform them, and said that the friars were frauds. . . .

[Mendizábal gave permission to dance the *catzinas*, and they were danced in Isleta, in Cuarac, and in San Ildefonso. Captain Francisco Xavier said to him that he had seen them,] and that the character of the costumes and the dance which he saw was diabolical. . . . [Fray García] declares for the discharge of his conscience that inasmuch as he knows well the language of the Piros Indians, having lived among them thirty-three years, during twenty-two of which he was their minister continuously, he knows that the dances which are commonly called *catzinas* are superstitious, diabolical, and idolatrous; many of them are preceded by offerings to the devil, with other superstitious acts for other purposes, as they performed them in the old days. To demonstrate the injury which has come from the license to perform these dances, [folio 7] he has learned from being told by certain Indians within his jurisdiction, that the people had apparently returned to their old system of heathenism. [The accusations of the first *cuadernos* are repeated as far as folio 10.]

[FOLIO 10.] DECLARATION OF FRAY ANTONIO TAVARES, LAY BROTHER,
SENECÚ, MAY 15, 1661

[In the year 1660, Fray Francisco Muñoz was minister of Ácoma. The narrative of the ceremony with Diego Romero is repeated. There are other rumors, as for instance that Juan Luján went to dance the *catzinas* in the council chambers of (folio 11) the pueblo of San Juan.]

[FOLIO 16.] DEPOSITION OF THOMÉ DOMÍNGUEZ, RETIRED SARGENTO
MAYOR, ISLETA, MAY 21, 1661

[He deposes; that his house is on the Río del Norte, four leagues below this convent; he is a farmer, and is thirty-six years of age. . . . He says that he was in the communal houses with Captain Francisco Valencia, a resident of this jurisdiction who lives one league from this convent in the pueblo of La Isleta, one morning in the month of November of last year, 1660, when the Indians of this *doctrina* came to the governor, Don Bernardo López de Mendizábal, who had come to visit the pueblo, and asked permission to perform certain dances called the *catzinas*. The governor gave the permission freely and without any objection. The deponent said to him that he ought to take notice that these *catzinas* had been performed in the pueblos in the vicinity of the villa of Santa Fé, and that the rest of the kingdom had been scandalized at them, because they had never been seen before, and they were held to be idolatrous and diabolical. To this the governor replied that people did not know what they were talking about; that the *zarambeque* and other dances which the Spaniards dance

were not prohibited, and that he had not observed that there were any superstitions connected with the *catzinas*; he also asked the deponent whether he had observed any. The deponent replied that he had never seen them performed in his life because the religious had prohibited them as being evil, and always mentioned the *catzinas* when they spoke against the superstitions of the Indians. The governor replied that he had never noted that this dance was superstitious, and that it might be danced as long as he was governor; if any one knew of any superstitions connected therewith, he should tell him. Thereupon the Indians went out to dance the *catzinas* before the governor and the Spaniards who were with him, among whom the deponent recalls were Juan Domínguez, brother of the deponent, Miguel de Noriega, who was secretary of government and of war, Juan Griego Naguatlato of the Teguas nation, a resident of the villa of Santa Fé, and one Artiaga whose first name he does not know. The Indians went out wearing various evil costumes; one of them especially had an ugly costume, like a devil, with horns on the head, and a bear skin which he dangled by two fingers thrust through the eye-socket—a horrible thing. They sang something which sounded like “Hu-hu-hu,” at which the governor said “Look there, this dance contains nothing more than this ‘Hu-hu-hu’, and these thieving friars say that it is superstitious.” The deponent knew from the faces of those who were present that they were much affected by this action, but offered no opposition to it because the speaker was their governor and captain-general. Along with the Indian who wore the horrible figure of the devil already mentioned were three others, who walked somewhat apart.

[Folio 17. Attestations that Mendizábal authorized the *catzinas* are repeated.] He knew that great injuries had followed the granting of these licenses [to dance the *catzinas*]. Specifically, he had been told by María López Millán, wife of the Captain Francisco Valencia already mentioned, who lives one league from this pueblo of La Isleta, that she had been told by a mulatto boy of hers named Blas that upon his arrival at this pueblo at night, in the month of January of this present year, 1661, he had heard the singing of the dance of the *catzinas*; as he drew near he saw that the Indians were in a council chamber under ground, using all their ancient ceremonies, wearing their costumes, and dancing this dance, in which they were making their offerings to the devil. He went up to them and said: “You had better look out, for that is what the fathers do not like, and have forbidden.” They told him not to say a word, but he told it to his mistress, María López Millán, and she, who knew the language of this nation of Tiguas very well, said to him that she also knew of this from other persons among the Indians themselves. . . .

He also deposed that a few days later this same María López Millán said to him that it appeared that the evil of the *catzinas* was increasing, for certain Tigua Indians of the pueblo of Cuarac who had come to her house had told her that a very old Indian in that pueblo had sent word to them to come out to receive him, and that they had done so; this Indian told them that when they came out to receive him they should bring to him whatever woman they liked. When they went out they took to him

a half-breed woman who lives like an Indian in the pueblo, who was very much adorned. They asked the old man who he was, for they did not know him. He said to them: "Don't you know me? I am not surprised, for you have kept me in exile for so many years, but now I am coming back because now you are living as I desire; now I am going to be happy among you, wherefore I bring you this fir branch in my hand." This old man pretended to be the devil; he gave the fir branch to the half-breed woman, and the Indians conducted them both throughout the pueblo by night, dancing round about all the houses. The old man went into an underground council chamber with the others to perform their superstitious ceremonies, and the *mestiza* went to her house. The deponent holds for certain that these injuries were caused by the permission which Governor Don Bernardo López de [folio 18] Mendizábal had given to the Indians to dance the *catzinas*.

He also says that in the month of January of this same year there came to his house Cristóbal de Anaya, his brother-in-law, who lived two leagues from the pueblo of Sandía. In speaking of the *catzinas* and of the statement of the governor that the dance was not superstitious, or, if it was, he did not know it, Cristóbal de Anaya said that it was impossible that he could fail to know it, for everyone else in the kingdom, especially the creoles like himself, knew that it was and said so. He himself knew the language of the Indians very well, and he knew that the Indians who are the principal movers in the dance—the priests, as it were, of their idolatries and superstitions, who are commonly called the *catzinas*—talk with the devil before they put on the costumes in which they dance, and then come out into the field, where they make various offerings to him. After they have committed this evil, they come into the pueblo dancing and singing "Hu-hu-hu," which, though it means nothing, they sing to dance by after they have performed the idolatry of making the offering; and as the devil appears to them when he speaks to them, it is his figure which they assume in the costume which they use in dancing the *catzinas*. So great is the fear which the people have of these Indian *catzinas* through their fear of the devil, that they do whatever the men tell them to do. He knows that these dances have been performed generally, and that it has been much regretted among the Spaniards and ecclesiastics, because the natives have been greatly injured by it, for they have been so much perturbed by the license which has been given to them that they have forgotten the doctrine and the teaching of the holy faith.

[Folio 21.] Item. He says that on account of these things, and because he has seen the encouragement which the governor has given the natives to perform their diabolical idolatries or evil dances, and because Christianity among these natives has come to such an unhappy state through this cause, he has come to have an aversion for Don Bernardo. On this day, the day of this declaration, the deponent entered one [folio 22] of the council chambers of the Indians under the ground near the church of this convent; there he saw hanging up eleven figures, or diabolical masks, with which the Indians dance the *catzinas*, just as we have our holy images; at the foot of one of them was the offering which they are accustomed to

make, which was a wreath of flowering grasses. He did not see there any figure which precisely represented the devil, such as he had seen brought out. In order that this may be verified, and that the injury which Don Bernardo López has caused to the Indians in the faith may be seen, he asks the father commissary to be pleased to send a person satisfactory to himself, who will see these things and remove them. . . .

DECLARATION OF FRANCISCO VALENCIA, ISLETA, MAY 24, 1661

[Age, fifty-four years. He confirms the circumstance of the license given by Mendizábal to dance the *catzinas* in Santa Fé. The Indians went out of the palace itself in their dance costumes.]

Item. The deponent says that he was in the pueblo of Cuarac in the month of October of last year when Nicolás de Aguilar, the *mestizo alcalde mayor* of those pueblos, gave the Indians permission to dance their diabolical dances. An old Indian came to say to the pueblo that they should get ready, for the *catzinas*, who are their heathen priests, were coming. The Indians of the pueblo went out, taking with them a *mestiza* who lives there, to receive the *catzinas*. [One of the latter, pretending to be the devil, went throughout the pueblo uttering loud cries and saying to the people that he had been exiled a long time, but that now they might be happy, for he was coming to stay with them. He then gave to the *mestiza* a fir branch which he had in his hand, and she took it, and put it in her house. The deponent is ignorant of the significance of this ceremony. Afterwards the *catzinas* walked around about the pueblo shouting, and then went and brought earthen bowls, squashes, and other things, according to their superstitious custom. The deponent alone counted many persons who saw this, and was very deeply moved to see such a thing.

[FOLIO 50.] RATIFICATION BY MIGUEL DE NORIEGA.
SANTA FÉ, SEPTEMBER 22, 1661

[Concerning statements by Mendizábal against the religious. He confirms what Mendizábal asked the Indians of Galisteo as to how many women Fray Nicolás del Villar had in the pueblo of Sandía. In that of Isleta] this deponent saw that Don Bernardo, when there upon the visitation referred to, ordered Father Fray Miguel de Guevara to pay to certain Indians not only the sheep which they demanded before him, but others as well which he still owed, according to the statement of Father Fray Francisco de la Concepción, now deceased. And Don Bernardo in the pueblo of La Isleta commanded Fray Pedro Moreno to make payments to other Indians. This the deponent saw, and indeed the payments were made, against the will of the religious [folio 51] who objected to the deponent that not only could he [the governor] not bring compulsion against those who did not belong to his [jurisdiction], but also that no credit ought to be given to the mere statements of the Indians without other proof. To this the governor replied that the Indians were not capable of deceiving, and that he was persuaded that there was not an Indian who would tell a lie. All this the deponent knows had its origin in

the natural hatred and abhorrence which Don Bernardo had for the sacerdotal state. For he said of Father Fray García de San Francisco, at present vice-custodian of these provinces, and a religious of well-known reputation and virtue on account of his good example, that he was an idiotic fraud, a hypocrite, and, finally, the worst friar there was in the world. . . .

[He confirms the declarations copied above concerning the conduct of Nicolás de Aguilar: Striking the cantors, to prevent them from singing the mass; obliging Father Fernando de Velasco de Chililí to go to the forest to bring wood, in the deep snow. The missions of Las Salinas] have been commonly known in these provinces as the most persecuted of all those in this holy *custodia* because they have had the ill fortune to have dealings with a man who is the persecutor of the churches, whom every one calls Attila.

[Folio 52. Mendizábal said of Aguilar] that he had not a more pains-taking *alcalde mayor* nor one who better attended to his business than Nicolás de Aguilar; that he had put him into that position purposely to deal with the religious as they deserved, and had removed from it Captain Pedro de Leiba because he was partial to the affairs of the Church.

[FOLIO 56.] DECLARATION OF CAPTAIN DIEGO DE TRUXILLO.
SANTA FÉ, SEPTEMBER 22, 1661

Item. He says that Governor Don Bernardo López de Mendizábal, when he was governor, sent the deponent as *alcalde mayor* to the provinces of Zuñi and Moqui. As soon as the deponent reached these provinces, having arrived at the jurisdiction of Zuñi, he noticed that the natives were not attending the teaching of the doctrine, that they did not ring the Ave María, or the sunset bells, and that they did not attend the choir. When he asked why these things were so, he was told by Vicente and Bartolomé Zisneros, two *mestizo* brothers who lived in the province of Zuñi, that such had been the situation since certain Indian captains had come there after having gone to see Don Bernardo López de Mendizábal. For as soon as the captains reached their pueblo, one of them went out proclaiming that the people should come together, for he had some things to tell them which were very sweet, very pleasant, and very much in accord with their desires. The brothers did not know what kind of a speech he had made to them when he had them assembled, but from that time they did not ring the Ave María, or the evening bells, nor did they attend the teaching of the doctrine or the choir, but acted as if they had never been converted. The deponent began at once to punish and reduce them, immediately advising Governor Don Bernardo López de Mendizábal of the condition in which he had found those provinces, and that he vowed before God, to reduce them to be Christians, for he believed that the words which his lordship had spoken to the said Indian leaders had been misinterpreted. But on this point he received no reply from Don Bernardo, other than that the latter removed the deponent from his office. . . .

DENUNCIATION BY CAPTAIN JUAN MUÑOZ POLANCO,
SANTA FÉ, SEPTEMBER, 1661

[Very strongly against Mendizábal. He testifies concerning the dancing of the *catzinas* by the Indians in Santa Fé in the presence of the governor, who said to the Indians] that they might go and dance, that the fathers were a lot of drunkards, and their sowings⁶⁶ were the same thing as the *catzinas*. [He tried to prevent the father commissary from having the masks used in the dances collected. The case of Diego Romero is always confirmed. Folio 61.]

[FOLIO 67.] DENUNCIATION BY FRAY MIGUEL DE GUEVARA, A NATIVE OF
BARCELONA; AGE, THIRTY-SIX YEARS

Item. He said that the present father commissary issued a letter patent ordering the religious to go to collect the masks and the paraphernalia of the *catzinas*, accompanied by some Spaniards wherever the latter were to be found. The deponent took advantage of the presence of Captain Miguel de Hinojos, the *alcalde mayor* of Cochití, for the purpose of collecting the masks in the pueblo so named. As soon as General Don Bernardo López de Mendizábal learned of this, he sent to the *alcalde mayor* a letter of reprimand, saying that he was not keeping him there to collect *catzinas* masks with the friars, but to act as *alcalde mayor*. . . .

Item. He said that an Indian of the above-mentioned pueblo of Cochití came to this villa to say to Governor Don Bernardo that they wanted to make him captain of his pueblo, and that he did not want to be captain, but he requested permission of the general to dance the *catzinas*. . . . Don Bernardo told him to go back and dance them, notwithstanding they had been forbidden. When the Indian reached the pueblo of Cochití, he went with another Indian to Captain Miguel de Hinojos, his *alcalde mayor*, to ask permission to dance the *catzinas*, and the *alcalde* did not wish to give it.

[On the margin is the following note, in a different handwriting:] The commissary, by virtue of his office, had no authority to prevent the Indians from performing the dances; he might have done so as ecclesiastical judge. The Inquisition takes no cognizance of the crimes of the Indians.

[FOLIO 71.] DENUNCIATION BY PEDRO DE ARTEAGA, OCTOBER 24, 1661

Item. He says that when [the governor] sent an escort of soldiers to the pueblo of Los Taos last year, 1660 (and if he remembers correctly it was about the end of November), the Indian captains of the pueblo came to Don Bernardo López de Mendizábal, then governor, and said that the escort was not needed. The [governor] . . . replied to these Indians that he was only sending the escort thither so that their minister, Fray Felipe Rodríguez, should go away from there. . . .

[Folio 73. Immoral acts of Mendizábal, according to the account of his own wife. Also the case of Petrona Gamboa. . . .]

⁶⁶ See *infra*, pp. 221-222, where the statement is made that the friars had the Indians perform their dances whenever they had any task for them to do, such as sowing.

DENUNCIATION BY DIEGO DE MERGAREJO. 1661

[Folio 80. He confirms the statement that Mendizábal gave permission to dance the *catzinas*.]

DENUNCIATION BY CAPTAIN JUAN GRIEGO, NOVEMBER, 1661

[Age, fifty-six years, a native of Santa Fé.] He says [folio 92] that Fray Estevan de Perea, long-time minister and a good linguist in the language of the pueblo of Sandía, had said that that was not a good dance. . . . [The *catzinas* were danced with Mendizábal's permission in Sandía, San Marcos, and Galisteo.]

DENUNCIATION BY MARÍA DE ALBISU, SANTA FÉ, NOVEMBER 4, 1661

[Folio 95.] Item. The deponent says and declares that one day when she was with her sister-in-law, Doña María de Abendaño, the latter told her that twenty-four years ago there came an Indian from San Cristóbal, named Pablo, and the aforesaid Doña María de Abendaño asked the deponent, as a person who understood the language of the Indian, to tell him to give her some herbs which would cause a man with whom she had illicit intercourse to love her very much and never forget her. The deponent asked the Indian, as requested, and he replied that he would give the herbs to her, but first he desired to speak to her privately. The deponent went away to the garden, leaving the Indian and the aforesaid Doña María de Abendaño alone together; but she does not know what they said, because she went away. She does know that the Indian gave her the herbs, that he is now dead, and that the woman is now married to the same man.

Item. She says that at the request of Don Diego de Guadalajara she asked the same Indian for some herbs which would make the then governor, Don Fernando de Argüello,⁶⁷ like him very much; and she knows that the Indian gave them to him. But because the governor, Argüello, took Don Diego prisoner and wanted to cut his throat, Don Diego returned the herbs to the deponent, asking her to give them to the Indian and say to him that he was a dog of an enchanter, that there his herbs were, and that they had had no effect at all. The deponent says that all this has served as a warning to her, and hence she makes declaration of it. . . .

DECLARATION BY CAPTAIN JUAN VARELA DE LOSADA,
SANTO DOMINGO, NOVEMBER, 1661

[A native of New Mexico, age, thirty-five years. Folio 96. He said that they danced the *catzinas* in the pueblo of La Alameda in December of 1660.] He saw the flat roofs of the pueblo full of people. . . .

⁶⁷ Fernando de Argüello Carvajal was governor of New Mexico from 1644 to 1647. Bloom, "The Governors of New Mexico," *loc. cit.*, p. 155.

[FOLIO 99.] DEPOSITION OF FRAY GARCÍA DE SAN FRANCISCO,
SENECÚ, MAY 9, 1661

[Age, fifty-nine years,] minister, residing in the convent of San Antonio de Senecú. [He repeats the case of Fray Francisco de Acevedo in Alamillo. He was minister of the pueblo, and] an old man of about sixty, a religious of good repute and virtue. . . .

[Folio 100.] Item. He says that he has heard it stated that in certain pueblos, especially in those of Las Salinas, it has been proclaimed by order of Don Bernardo López de Mendizábal that no governor, alcalde, or judge, shall punish any sin that may be committed, nor shall they consent that the ministers punish them. Witnesses to this are: Don Estevan Clemente, an Indian and native governor of the pueblos of Las Salinas who lives in the pueblo of Abó, and the religious of those pueblos, who are: Father Fray Antonio de Aguado, Father Fray Fernando de Velasco, and Father Fray Diego de Parraga. The proclamation was ordered by Nicolás de Aguilar, a reputed *mestizo*, the *alcalde mayor* of the pueblos, who was at the time near the pueblo of Chililí. There were brought to him three women who were concubines in the pueblo of Tabira, and he sent them away without punishment or reprimand. [He repeats what has been copied from preceding *cuadernos* concerning the *catzinas* and the excesses of Nicolás de Aguilar.]

DECLARATION OF FRAY BENITO DE LA NATIVIDAD, SOCORRO, MAY 17, 1661

[The *catzinas* were danced everywhere by permission of Mendizábal.] He heard it said that the Indians in the pueblo of La Isleta went out to perform these dances, and while they were dancing them the minister of the pueblo, who was then Father Fray Salvador de Guerra, not being able to restrain them in any other way, went throughout the pueblo with a cross upon his shoulders, a crown of thorns, and a rope about his neck, beating his naked body, in order that they might stop the dance. When he reached a certain part of the pueblo they came after him weeping, and saying that they were not to blame, because the governor had commanded them to do as they were doing.

DECLARATION OF MIGUEL DE NORIEGA, MAY, 1661

[Folio 126.] . . . the deponent has abundant information concerning the good conduct, virtue, and religious nature of many of them, as for instance of Fray Pedro de Miranda, whom the Indians killed in the pueblo of Taos because he was accustomed to reprimand them for having falsely calumniated Fray Nicolás Hidalgo, their minister, as it appeared; and of Fray Bartolomé Letrado, whom the natives of the provinces of Zúñi killed because he summoned them to mass on a day of festival. These men Don Bernardo calumniated in his report, accusing them not only of . . . but of cruelty, and of mistreating the Indians. . . .

[Folio 133.] And he said that he remembered that an Indian woman, a native of the pueblo of Puaray, complained before Don Bernardo López

de Mendizábal that Nicolás de Aguilar, a *mestizo*, had forced her in the field, and that she had sent to him a number of times, how many, deponent was ignorant, demanding that he send her a cow. The governor showed decided displeasure at this, and showed a disposition to inflict a severe punishment upon Nicolás de Aguilar, but none was imposed, so far as the deponent knows, other than to order that the cow be given to the Indian woman in question.

[The governor used such expressions as] . . . "the greatest cuckold of them all," the deponent inferring that such terms of endearment and manner of speaking to the settlers in this kingdom, were used for the purpose of warning them that they should not see or communicate with the religious. He also ordered Luis Martín Serrano, a resident of La Cañada, under severe penalty, not to give hospitality to any religious, under penalty of I do not know how many lashes. Luis Martín and his wife were much distressed at this rigorous order, it being a grief to them not to be able to receive the religious in their house when they passed, for they lived where hospitality is very necessary, the distance to the pueblo of Picuries being eight leagues, and the country being very dangerous on account of the enemies who continually roam over it. Notwithstanding this fact, however, it is common and public knowledge throughout the kingdom that when any settler receives a religious in his house it is with great fear lest the governor take offense and persecute the host, as he did in the case of Sebastián de Herrera—who was alone in his house and had no one to whom to entrust the farm which he has in the country—by sending him unnecessarily in a convoy to the frontier of the pueblo of Taos so unexpectedly that he had to leave his wife with a child new-born on the night on which he set out. It is public and common knowledge that this was because he had entertained in his house for some days Father Fray Juan de la Ascensión, who was seriously ill, and the Indians of his [*doctrina*] not only [folio 134] did not know how and could not take care of him, but were afraid to go into the convent, nor could any one be found who would give him a pitcher of water. Wherefore, for the sake of his health, he went to recover it in the house of Sebastián de Herrera, where he was received with all charity.

[He repeats the case of Diego Romero among the Apaches.]

RATIFICATION BY MIGUEL DE NORIEGA

[Folio 135. Against Aguilar. Bad treatment of Fray Fernando de Velasco. He says that Aguilar was] a *mestizo*, a man of evil life and customs . . . that he struck certain Indian cantors of the pueblo of Cuarac because they went to take part in the festivities, the vesper service, the mass and the procession of San Buenaventura, the patron saint of the pueblo of Humanas. . . .

[Folio 136. Bad treatment of Fray Fernando de Velasco of the pueblo of Chililí by Aguilar,] obliging him, for the sake of having something upon which to sustain himself, to go and protect and herd the cattle of the convent, and, having no one to bring him a stick of wood, to go for it to the mountain in the deep snow, and when Nicolás de Aguilar saw Father

Fray Fernando coming loaded down with wood on his shoulder, amid the rigors of the winter, Nicolás de Aguilar said to a person who was with him: "The good father is probably a little warm under the collar. . . ." Father Fray Antonio de Sotomayor died in the convent of San Ildefonso. . . . [And Mendizábal said] that they all ought to have died. . . . [Many expressions by Mendizábal against the religious, showing his hatred, the most injurious words being uttered by him in public.]

[FOLIO 141.] DECLARATION OF FRANCISCO RAMÍREZ, SEPTEMBER, 1661

[He knows that Mendizábal caused the *catzinas* to be danced in Isleta and Sandía.]

DECLARATION OF FRAY ANTONIO DE YBARGARAY, 1662. HE WAS GUARDIÁN OF NAMBÉ

[Folio 142. He confirms the action of Romero among the Apaches by the word of Juan Griego. He also discusses the question of the *catzinas*. Folio 143.] And since he is minister to the nation of the Teguas, and understands their language, he knows that the dance of the *catzinas* is superstitious, and has a bad effect among the natives.

[FOLIO 146.] DECLARATION OF FRAY DIEGO DE PARRAGA.
SANTA FÉ, APRIL, 1662

[Age, thirty-five years. He confirms the foregoing about the *catzinas* and other things. There follow declarations referring to Mendizábal, about his having struck an image of Christ with blows, as far as folio 155.]

[FOLIO 169.] DECLARATION OF CAPTAIN ANDRÉS HURTADO,
SANTA FÉ, SEPTEMBER, 1661

[He declares that Father Fray Francisco de Acevedo collected the masks in the pueblo of Alamillo. The Indians said to him that Mendizábal ordered them to dance the *catzinas*, threatening them with punishment if they did not dance them.] Letter of the father custodian and the *definidores* of New Mexico to the viceroy of New Spain, November 11, 1659. Transcript. Signed by Fray García de San Francisco, vice-custodian, Fray Francisco de Salazar, Fray Benito de la Natividad, and Fray Joseph de Espeleta, *definidores*.

[Folio 249.] . . . Very great, Sir, has been the covetousness of the governors of this kingdom, wherein they have, under color of chastising the neighboring enemy, made opportunity to send, apparently in the service of his Majesty, squadrons of men to capture the heathen Indians to send them to the camp and mines of El Parral to sell (as governor Don Bernardo López de Mendizábal is doing at present, he having sent there more than seventy Indian men and women to be sold). This is a thing which his Majesty and the señores viceroys have forbidden, under penalty of disgrace, deprivation of office, and loss of property, but no attention is paid to the order on account of the great interests involved; hence God,

our Lord, through this inhuman practice is losing innumerable souls of the heathen hereabout, who have, from fear of it, conceived a mortal hatred for our holy faith and enmity for the Spanish nation. For this purpose of making captives, the governor on the fourth of September of this year, 1659, sent out an army of eight hundred Christian Indians and forty Spaniards, though there was evident risk at the time the army set out that trouble would ensue, for the kingdom was then full of bands of heathen who have entered the pueblos of Las Salinas, the *camino real*, and the farms of El Río, and also into the pueblos of Hemes, San Ildefonso, and San Felipe.

In these pueblos they have killed some Christian Indians and have carried off others alive to perish in cruel martyrdom. They have also driven off some herds of horses and mares. All this is because the populous region is undefended, the troops having been sent off inland for slaves under the pretense above stated, and we are afraid, lest the heathen may come in suddenly while they are absent and destroy some of the settlements. And even though this might not happen, there cannot fail on this account, Sir, to come great hunger and loss of life, for the army went away at the time when the corn was maturing, and there are eight hundred and forty corn fields left to go to ruin without their owners, at the mercy of the bears and other wild beasts, which constantly destroy the crops, while the heathen lay waste the one and catch the other. But on account of the absence of the inhabitants, it is to be expected that grave ruin will come to this poor kingdom, which has just been through so serious a famine that the natives had to sustain themselves on seeds of grasses, *tierra blanca*, and herbs of very injurious character; and most of the Spaniards on bran, *quilites*,⁶⁸ green barley, and other herbs which they happily [folio 250] were able to find, after much searching, and which they ate, it appears, in the whole villa of Santa Fé. Not having supplies, the scanty ones which the Lord provided this year they have consumed by eating them out of season, on account of the want they have been suffering, for the wild beasts and the heathen destroy the property of those who are absent and those who have gone with the army take everything they see on the road, for they have no other recourse. Wherefore the hunger and loss of life mentioned is expected, on account of the invasion of the heathen into our settlements, as has happened.

For the said *entrada* the governor has used the corporal and his squad which is in his Majesty's pay for the sole purpose of guarding the wagons and mules which belong to the *real hacienda*, and has left the latter in the country with no defense whatever, in manifest danger, inasmuch as the heathen have entered our settlements, that the latter will carry off the mules and kill the muleteers. He did the same thing during the entire journey from Mexico to this kingdom, not allowing the corporal and the escort to guard anything except his carriage (as will appear presently); therefore his Majesty's property has greatly deteriorated, and has suffered notable loss of mules.

⁶⁸ *Quilites*, a water plant.

As soon as the governor reached these provinces, he ordered the natives to make nine wagons, and for the purpose of drawing these he has taken nearly two hundred oxen and three-year-olds from the haciendas of the Spaniards and from the cattle of the convents, by virtue of his power as governor. For the purpose of loading the nine wagons, he obliged the Indians of the six pueblos of Las Salinas to carry the salt on their shoulders and on their own animals as far as the hacienda of Captain Don Diego de Guadalajara, which is distant from the said pueblos twenty-four, twenty-eight, and thirty leagues, one way only, without giving any pay, either to the carpenters or to those who carried the salt. He oppressively and violently commanded them to do it, and did not even furnish them with food.

This sending of salt to El Parral by the governor is injurious, Sir, because, in order to equip his wagons with some degree of safety, he forthwith sent his *alcaldes mayores* (who are people of ordinary sorts, only concerned with promoting their own interests), to some of the pueblos to take away from the natives their grass mats, which were the only beds they had, giving them nothing in exchange. From others they took their buckskins and their *tecoas* (which are pieces of dressed leather which they use for footwear). The alcaldes used these things to cover their wagons. We have evidence that in the pueblo of Taos alone, they took forty buckskins without any pay whatsoever, and even the cow-hides which the natives receive for their labor or for their blankets and antelope skins, with which they make shoes or war-shields, they took for whips and straps to use on the wagons, which they make the poor native teamsters from the convents, and some Spaniards, take to El Parral, two hundred and twenty leagues away, without paying them anything. As the salt is sold at once in El Parral, along with the wagons, the oxen, and any animals which the governor sends, the miserable Indians remain there adrift, away from their wives and children, until they are lost completely or until happily they are sent back upon his Majesty's business after three years, when they return to this kingdom. Not only the teamsters, but many herders does the governor take away, as he has just done, with great numbers of cattle and sheep; and this is the reason why he does not permit traders from other kingdoms to enter this one, and those who have come in he does not wish to let go away, but prohibits their departure, and holds their goods.

Inasmuch as it is not permissible to take out of this kingdom any silver or goods other than cattle, [folio 251] and as such cattle would cheapen those which the governor sends out to El Parral, he closes the road with sinister purposes, and the kingdom is in want, we being forced to give a few sheep which are raised here for the purpose of bringing back ornaments, decorations for the churches, and other necessities. Even when this entire *definitorio* went to the governor to ask license to do this, he replied that churches with decorations and costly ornaments were not necessary; that a few huts of straw and some cloth ornaments, with spoken masses, were ample. The fact is, however, that these things are what we have the most care for, and procure at our expense and

labor, for, if precept and virtue teach these natives, they are all influenced as well by the decency, ornamentation, and ritual of the churches. Taking out the salt, Sir, has occasioned among the natives serious illnesses and convulsions, some of them being permanently incapacitated, as was found to be the case in the pueblo of Cuarcac, both on account of the haste and the misfortunes attending their departure, and because of the long distance which they carried the salt.

It is for this purpose, and without any advantage or convenience to the kingdom, that [the governor] has commanded that the Indians of the pueblo of Sevilleta (whom the previous governor, acting upon the advice of a *junta general* which he convoked, congregated in the pueblo of El Alamillo) should return to their old location. As a matter of fact, the decision of the junta is in the hands of your highness, and it is hoped that you will examine and confirm its recommendation, otherwise there will arise very serious idolatries, such as the natives of Sevilleta practice on the Río Puerco, near their settlement. There they are enslaved on the hacienda of Captain Don Diego de Guadalajara, who acts with the authority of an *encomendero*. As the pueblo is but one league from the hacienda, he held the Indians under such oppression that he did not even allow them to acknowledge their proper relations with their minister, and permitted them no occupation other than to bring to their pueblo the salt which they take out every year for the governors, their pueblo being in the mountain range of Las Salinas. They were congregated at El Alamillo three years ago, by virtue of the authority mentioned, and there they have houses, lands, and a minister of the doctrine who could care for them, but the governor removes them for the reason given to their old pueblo, where they continue their hateful and vicious idolatries. The ecclesiastical jurisdiction, Sir, which the fathers custodians have exercised in this kingdom by virtue of the bulls of his Holiness and the royal cédulas, is at present denied, and has been usurped by the governor. . . .

[They relate the happenings already mentioned, when Mendizábal prohibited exercise of the ecclesiastical jurisdiction by the custodian. When they showed the governor the royal cédula relative to this matter] he said that his Majesty could not have issued such a cédula, because it was bad, and hence he did not obey it. But what most breaks our hearts is that at El Paso del Río del Norte, where live the heathen nations of the Mansos and Zumanas, who were beginning to be reduced through the holy zeal of Father Fray García de San Francisco (who was absent, seventy leagues away), these heathen, because they had had word that the father custodian was coming with his religious to be their principal prelate and head of this church, had erected a number of arches made of branches of trees as a recognition and a sign of the affection which they were beginning to feel; but the governor angrily and hastily had these arches removed each of the two or three times that they put them up. He commanded his soldiers to tear them down, thus giving occasion for disdain and vituperation of the evangelical ministers, when he should have caused them to be revered, recognized, and feared, to the end that

the heathen might be converted, if indeed the power of Divine inspiration could have such an effect upon them. They did, indeed, disdaining threats and coercion, keep other arches hidden, which they held up in their hands at the time the father custodian and his religious arrived, stretching them from one side of the road to the other until the fathers passed under. These Indians, who were gradually, by evangelical gentleness, being gathered to the faith, have had legal action brought against them, in fear of which they are running away, the desired end of their conversion is lost, and serious results are arising, which will have to be adjusted after their conversion. . . . [Folio 253.]

It also happens, Sir, that when our prelate desires, either on account of blame, necessity, convenience, or for the purpose of complying with the obligation of his position, to remove a blameworthy or unsatisfactory religious from any convent and install some other one whom need or the particular occasion demands, the governor prevents with his powerful hand the exercise of this highly important function, depriving the prelate of the right to do it, whereby the unsatisfactory religious is perpetuated in his position and is given royal sanction in it for the sake of particular interests. This opens the door for disobedience and the destruction of the convents, whose treasures and cattle go to satisfy this interest, there being no way of remedying such an open abuse and excess. The whole thing is in opposition to the express order of his Majesty, which commands the governor not to intervene in the government of the religious. On the contrary, Sir, there occurs a thing which urgently requires that your highness should remedy it, and that is, that whenever with evident fraud or boldness, any Spaniard or Indian deviates from the proper judicial procedure and makes deposition before the governor against any religious (who is usually one of the most upright who takes exception to their vicious practices), then the governor, without troubling to give the proper notice to the prelate so that he, after ascertaining the truth in judicial form, may either punish or clear the accused of the calumny, makes noisy demonstrations. . . .

[Complaints that the Indians] do not serve us without payment of one *real* daily, . . . for so Mendizábal desired. [They say (and with justice) that the Spaniards had] no inns when they go on journeys, other than the convents, which charitably entertain them. . . . And it is the express will of his Majesty that the Indians should help us, for he says to his governors of this kingdom that they must not prohibit the Indians' taking care of their own cornfields and those of the religious, this order arising from the information which his Majesty has that we have nothing else to eat; and by his royal cedula he exempts perpetually from the tribute and personal service those who work for us. But the governor does not even concede this to them, and we, having no one to cultivate and harvest what we must eat, are without anyone to provide us with sustenance, and are constrained to give up these conversions and seek the refuge of our provinces. But even this the governor desires to prevent us doing, and he also forbids us to raise a few sheep, asserting that we are doing it for profit, a statement which arises from his hatred

for the poor religious, and from the fact that sometimes when the convent or some of the religious have need of a few animals to assist in the work of administration, or of some cloth or sackcloth with which to dress themselves or those who work in the church and convent, or of a few head of cattle for food for those people, or of tools for the building of the convent, the religious meet the need, since there is no money, by exchanging wheat, corn, sheep, or wool, which are of current value as money.

This is a thing in no wise incompatible [folio 255] with our estate, nor can we do otherwise, nor is it contrary to the will of the king, our lord; but because of it, the governor publishes the statement that the convents are excessively stocked and that their fields are too large, failing to take into consideration that to keep fifty sheep it is necessary to have four hundred ewes, for if they all survive the fury of the winter more than half of them are carried off, and those which remain reach maturity only after two years, while some are eaten and some are sent away (as we said) in exchange for certain things necessary for the churches, the religious, and the maintenance of the convents. The sheep are used for all these purposes, as well as for the sick in the pueblo, and usually both are supplied in times of need. Indeed, it is well known throughout the kingdom that in the convents of Senecú, Socorro, La Isleta, Tajique, Cuarac, and others which had some wheat, corn, and cattle, during the entire time of famine rations were distributed to their parishioners, whenever requested, on Sundays for the entire week, lest they should run away. When this *definitorio* called this fact to the governor's attention he replied to us in the assembled *definitorio* that we should not give alms or succor to the Indians, but let them go off to the mountains.

Furthermore many of the religious, Sir, have succored the Spaniards; especially did the former father custodian do this, dividing among them over five hundred *fanegas* of wheat and corn which had been received in the tithe. In the more remote conversions the Minim fathers of Xongopavi and Oraibi distributed as many more *fanegas*, the entire pueblos being thus supported in time of famine.

The rewards, Sir, which have been received for so many and such well-known labors, so much fatigue, and such great privations in the service of both Majesties have been vituperation, dishonor, oppression, violence, and false depositions and calumnies, fruits of so many works of piety. At the present time, Sir,—with no other verification than that there have just come to him, with only such information as they could obtain through threats, four men who have no fear of God, men who ordinarily lie, contradict, and perjure themselves—the governor says that the property which the religious have is used for the purpose of exchanging for heathen Indian men and women, and he makes other very indecorous statements. . . .

What has happened in this past year of '59 is as follows: The surrounding unconverted natives began to suffer such cruel hunger that, having in their possession certain slaves which they had captured in

their fights with other barbarous nations, they came with them, and some of them came with their own children, to the convents, and offered them to the religious for a little meat or flour. The evangelical ministers, who saw a great opportunity in the temporal and spiritual unhappiness of those souls, did not hesitate to give all they had for the opportunity to catechise them and make them Christians. In such a situation giving broken chalices and even richer treasure is not a culpable action, for it is a canonized virtue to sell one's self into the hands of the Moors in order to liberate one's neighbor from temporal slavery. In this manner, Sir, the religious rescued some boys and girls from the empire of the devil, and they now have them as gentle, peaceable Christians, and wholly free. This is why the governor so abominates the religious, for he thinks it is both permissible and just to take great numbers of the Indians [folio 256] and sell them in El Parral, and his hatred arises from the fact that he would like us to give the Indians to him for this purpose. Another charge is brought against us, it being said that in some places the religious receive a few antelope skins in exchange for sustenance or for the crop; we do not deny this charge, as they call it, but indeed it is in very few places that this occurs, and where it happens it is done for the purpose of obtaining for the value of the skins certain ornaments, trumpets, and organs. For one hundred and fifty pesos a year are not sufficient for this, as we have to buy wine, wax, oil, incense, and other things; nor would it be fitting, since we can obtain these extra things by this means, for us to insist that everything should be given to us by his Majesty, who is in such great need. The same kind of a calumny is current this year, for God is good enough to allow certain pine-nuts to grow in the forests of five or six pueblos in this country, and the minister is accustomed to ask his parishioners to gather some of them for their churches, giving them abundant sustenance while they are doing so. From the pine-nuts which are gathered and sent to Mexico the proceeds are given to God (for instance, recently there was brought a fine organ for the convent of Abó, and certain things used in the divine cult for the convent of Cuarac) and there have been brought very curious altar-cloths and ornaments from the proceeds of this fruit. Truly, Sir, since this fruit belongs to God and to the natives, who are the possessors of the forests, the charge is very frivolous, and is the daughter of envious covetousness. Because it is a small thing, the greater is the blame attaching to the command of the governor, who, since his first arrival, has ordered that every week a bugler shall go with his instrument from each convent to the villa of Santa Fé and play for him in his palace when he eats or rises, using for his own ostentation that which the ministers employ to command greater attention and reverence for the [religious] festivals, thus depriving the churches for the sake of his own grandeur of that which they need for the divine cult. . . .

[This letter (included in the transcript which is headed in the same form as this copy) is from Santo Domingo, September 8, 1659, and bears the signatures of Fray Juan Ramírez, custodian; Fray García de

San Francisco, vice-custodian; Fray Francisco de Salazar; Fray Benito de la Natividad; Fray Juan de Plasencia; Fray Joseph de Espeleta; and Fray Diego de Parraga—all *definidores*. There is a letter from the religious, confirming all the foregoing, and adding that the stockings which the governor ordered made in the pueblos he afterwards distributes in the same pueblos. Folio 257.]⁶⁹

*First Hearing of Don Bernardo de Mendizábal*⁷⁰
[Documents dated April 28, 1663–October 31, 1691]

. . . [Folio 2.] In the Holy Office of the Inquisition of the City of Mexico, Saturday, the twenty-eighth day of the month of April, 1663. The señor inquisitor, Don Pedro de Medina Rico, being at his morning audience, ordered that a man imprisoned in the secret prisons of this Holy Office should be brought to it.

[The man] said that his name is General Don Bernardo López de Mendizábal; he was born in these kingdoms in the province of Chietta, is a resident of this city and over forty years old; that his occupation has been and is to serve the king, our lord, in government and military affairs, having been soldier, judge, and governor. In South America he served in the presidio of Cartagena, and he was also in the galleon *armada* service, the two employments covering a period of twelve or fourteen years. In this country he has held various offices, such as *alcalde mayor* and *capitán á guerra*, in which positions the viceroys have employed him. Latterly, he has been governor and captain-general in the provinces of New Mexico.

[He added] that he was taken prisoner in New Mexico by Fray Alonso de Posadas, commissary of this Holy Office, in August of last year, 1662. Thence he has come as a prisoner of this Holy Office, to which he was turned over on a Tuesday some nineteen days since; on the day following, he was placed in the secret prison where he now is.

[He said that his father was Captain Cristóbal López de Mendizábal, a native of the villa of Oñate in Vizcaya; his mother was Doña Leonor de Pastraña, of Mexico, who was then living in her own house near the villa of Santo Domingo. . . .]

[Folio 6. He said] that the last time he confessed and received communion must have been more than two years ago, during Holy Week of the year '61, as he remembers; that he confessed in the villa of Santa Fé, in New Mexico, to Father Fray Diego de Rodríguez, who was his confessor. . . . During all the time since then he has not been confessed, though he has asked to be, both before and during Holy Week of the year just passed as well as since then, the reason being that the religious of New Mexico, who were the only ones who could do it, would not, which he knew to be a custom of theirs.

[Folio 7. Monday, April 30. He rectifies his testimony with respect to his latest confession, changing the date to Sunday of Quasimodo

⁶⁹ Ad. F. B., Mexico, Oct. 9, 1912.

⁷⁰ A. G. M., Inquisición, vol. 594.

(the first Sunday after Easter) of 1661; and he adds] that he knows, as he has said, that it is the practice of the religious of New Mexico, whenever there is any unpleasant disagreement, to withhold their function and refuse to communicate the holy sacraments, as all the settlers of that kingdom who may be called will testify, and as Don Bernardo who is the accused, himself saw happen when other governors, his predecessors, had requested the prelates of the said religious to have the latter receive confessions and administer the holy communion to the settlers and soldiers when they asked it, especially at the necessary times which the holy mother Church commands, because they were unwilling to do so. [This occurred] in the time of Don Juan de Samaniego,⁷¹ some of whose requests the accused sent to the *real acuerdo*, together with other papers, in an official despatch which he delivered for the *acuerdo* and for this Holy Tribunal, to the *sargento mayor*, Francisco Gómez, who came under arrest to this Holy Office. Gómez will give an account of these requests, or they will be found in the possession of the *acuerdo*; and, in case of need, the accused will cite and present them.

[He says further] that during the time of his government Captain Diego González Bernal—who, he has heard, is in this city—being then *alcalde mayor* of the district of Galisteo, wrote to the accused as his governor a letter which will be found among the effects of the latter, in which he states that Fray Miguel de Guebara—and he does not remember whether he also named Fray Nicolás de Villar, then *guardián* and *doctrinero* of that district—one or both of them, being angered by disputes which they had with the accused, the nature of which will appear in the narrative, did not only refuse the sacraments, but would not permit mass to be heard on festival days. They drove the Indians out of the church, and these at once came to complain to the accused. In order to prevent even the Spaniards from hearing mass, the religious closed the doors of the church. In support of this statement the accused cites Diego González himself and his father-in-law, Juan Ximénez, who, in addition to having written it, also told it to the accused.

[He furthermore says] that Fray García de San Francisco, who was vice-custodian during the time of the accused, would not give marriage licenses to the Spaniards or others who requested them, saying that the governor would issue them. García did this with one Barba, younger brother of Alonzo Barba, who wished to marry [folio 8] in La Cañada, and had come more than fifty leagues to obtain the license, and, [being refused], came to tell it to the accused. The latter, seeing these and other acts, and being imprisoned in his own house by Governor Don Diego de Peñalosa, with four guards, it being Lent and near Holy Week, was hence prevented from seeking the holy sacraments at the time when our holy mother Church commands; he therefore sent one of his four guards, Hernando Martín Serrano, with a message to Fray Alonzo de Posadas, custodian of the religious and commissary of this Holy Office in the villa of Santa Fé, where the accused was, asking

⁷¹ Juan de Samaniego y Xaca was governor of New Mexico from 1653 to 1656. Bloom, "The Governors of New Mexico," *loc. cit.*, p. 155.

him in God's name, because he knew that he would be prevented during Holy Week, to select a religious and command him to confess the accused, provided it should not be Fray Nicolás de Freitas, because of grave disputes which he was having with his father, which will be told of in the course of the narrative.

The fathers would, indeed, say mass in the house of any mulatto or kept woman, according to their pleasure and without need or reason, such as plainly existed in the present case. Moreover, the house of the accused was decently equipped with a room containing an altar, a crucifix, and an image of Our Lady, which were adorned as much as possible. [The messenger was to say] that the accused would give a considerable alms provided that during Lent or later he might hear mass and be confessed. But, because demands and replies had recently been exchanged, the commissary and custodian sent to tell the accused that he would not say mass in his house, for this was a favor which the fathers did only for those who pleased them. As to confessing the accused, let him choose whom he would among the religious, and he would go and confess him. [Mendizábal relates the many difficulties which the custodian, Father Nicolás Villar, and others, placed in the way of his going to confession, and tells how Fray Juan Ramírez said to him that "the commissary had notified him that he might hear" Mendizábal's confession only in *artículo mortis*. Folio 9. He paid an alms of fifty pesos for fifty masses. . . .]

[Folio 11.] Being asked if he knows, presumes, or suspects the reason why he has been arrested and brought to the prison of this Holy Office, [he denies knowing it, but says that it must be in revenge for his acts of justice, or to deprive him of his estate. . . .]

[FOLIO 13.] MAY 9. SECOND HEARING

[The accused offers to say further] that, as soon as he assumed the governorship already mentioned, on the very day after the one on which he took possession, there came to him a religious of the Order of Saint Francis, named Fray Miguel Sacristán, who was then *guardián* of the convent of the villa of Santa Fé, and said to him, drawing him into a corridor, that he wanted to tell him something. It was concerning the evil nature and barbarity of Don Juan Manso, who had been predecessor of the accused in the governorship. [The friar's story was] that this Juan Manso, during the entire term of his governorship, had maintained a liaison with the wife of Gerónimo de Caravajal, a resident of these provinces, etc.

[There follows the account of a scandalous baptism. Don Juan Manso acted as god-father to a child already baptized. Folio 14. At that time Mendizábal was *juez de residencia* of Juan Manso. There follows another story of scandal.] And so the accused heard generally, that the reason why Fray Miguel Sacristán had done as has been told was because he had a liaison with Doña Margarita, mother of this woman. [In these stories appear the names of Fray Miguel de Guebara, at that time still in New Mexico, and Fray Diego Rodríguez, who said, when Mendizábal told him

the situation: "Sir, the ignorance of those fathers is immense. God take me away from here." Fray Alonzo de Posadas is also implicated in the scandal, in order to conceal the fault of Don Juan Manso by means of a false confirmation. The whole thing is a series of shameless stories.]

HEARING OF MAY IO

[This hearing is dedicated entirely to the case of Fray Miguel Sacristán. The accused throws the blame for the suicide of this friar upon Fray Alonzo de Posadas, who was an enemy of Father Sacristán, and persecuted him. Folio 17. All are accusations against Juan Manso concerning that false baptism, and against the friars, especially against Fray Alonzo de Posadas. Later he goes on to attack Fray García de San Francisco and Father Fray Benito de la Natividad.]

[The accused] also declares that he went to perform the visitation of the pueblos of those provinces and when he was in one of them called El Socorro, whose *guardián* and *doctrinero* was Fray Benito de la Natividad, after completing there his visitation during which many Indians, both men and women, complained greatly of the molestations of all kinds which they endured from this religious and *doctrinero*, he told the latter of these complaints, and informed him that he must treat the Indians well, and not make use of them for involuntary service. The religious, after asking who the Indians were who had complained, said angrily to the accused: "Wait, your lordship, and you will see who they are." He then went to his cell and returned to the room to which the accused went, bringing a paper, or memorandum, which he began to read to himself, saying: "Such and such an Indian has illicit relations with thus and so; this one has dealings with the enemy."

In this manner [he recited] many sins and derelictions of numerous Indians, both men and women. When the accused, scandalized, said to him: "Father, how can you do such things, when you are the parochial instructor of those whom you accuse, and should punish them, for you hear their confessions," the friar replied [folio 18]: "Sir, they are ungrateful dogs, and as to confessing them, I only do it *in articulo mortis*, for I do not understand their language. The one who confesses them is Fray García de San Francisco, for he understands it, and he informs me of these derelictions and sins so that I may punish them, as appears in this memorandum. He then showed the paper to the accused, who asked him how he could do such a thing when there were so many reasons why he should not, especially since these barbarous Indians, in fear of punishment, would make sacrilegious confessions. The religious replied haughtily, saying: "It is a fine thing for your lordship to set yourself in opposition to me, to prevent me from beating these Indian men and women to obtain their confessions, when there are other ways to learn their sins." [The accused adds] that he sent other letters from Fray García, and a copy of those he himself wrote to the friar, to the viceroy of New Spain, asking remedy for many abuses, so that the matter might be referred to the competent tribunal. These letters he sent by the *sargento mayor*, Francisco Gómez, and gave an account of the affair to this Holy Tribunal by the said Gómez.

[There follows an accusation, or charge, against a certain Francisco de León for blasphemy. Evidently Mendizábal employs in his defense the plan of making charges and accusations against others, especially the religious, (folio 20) who are the] chief enemies of the accused. The settlers of the provinces live, while they are there, in subjection to the *doctrineros*, and always do what they order them. . . .

[Folio 22. The *sargento mayor*, Francisco Gómez, said to him] that he knew many women who told him that they did not go to confession because they were solicited in the confessional.

HEARING OF JUNE 16, 1663, REQUESTED BY MENDIZÁBAL

[Folio 24. Against Don Diego de Peñalosa, governor of New Mexico. He goes on to say] that, in observance of the oath he has taken to declare those who have opposed the direct and free exercise of power by the Holy Office, it appears to him that Don Diego de Peñalosa, present governor of New Mexico, did so in the case against the accused, for he, having notice of the command of this Tribunal to seize the accused and attach his goods, not only tried to sell the goods, which would have impeded the execution of the order, but, seeing that the accused would not agree to this, he did, from no motive other than to rob him and prevent proper process of the court, on the very day of the arrest of the accused, two or three hours before it happened, take the accused out of the house in which he was holding him prisoner, and send him to the house of the *maestre de campo*, Pedro Lucero. The governor had the accused put into a room of this house under guard, after which he, Don Diego de Peñalosa, went to the house of the accused with some men, and sacked it, leaving in it only what he pleased. He even dismantled the bed and carried it away. Furthermore, the commissary, when he was requested by the accused to restore the goods taken, replied, as did the notary, Francisco Salvador Guerra: "How could he do so, when Don Diego de Peñalosa was governor?" The latter also spoke so unrestrainedly of this Tribunal as to say that its members were all rascals, and that if the Tribunal were present, not only would he not obey it, but he would stab any superior minister of the body who might cite him; he also said that he himself was going to preside over the Tribunal. The accused also heard him say to Don Juan Manso upon the road the things which have already been told.

Don Diego de Peñalosa also boasted publicly that he had, under orders from some of the superior ministers of this Tribunal, who had intrusted him in the matter, framed the charge or charges against the accused, and that they had been made at his direction. For it was well known [he said], speaking of the members of this Tribunal, that they were only four poor monks, and the commissary and notary and the other *doctrineros* were only a lot of poor friars. This he said, not only publicly, but on his Majesty's wagons, at the time when Captain Toribio de la Huerta overtook them, and it was to the latter that he said it, and to Juan Domínguez de Mendoza. The accused was then a prisoner of Don Diego de Peñalosa in the villa of Santa Fé. The latter asked these men whether the accused was uneasy at that time regarding the edicts of the Holy Office. When

they replied to him "No," he showed them a copy of an *auto* which this Tribunal had passed, and said to them: "Well, see whether or not he has reason to be uneasy, for this is what has been proved." He then showed them some paragraphs from the declarations of those who had been convicted. It is therefore certain that Don Diego usurped the office of commissary and put what he liked into the depositions, or declarations, which these edicts are said to have contained against the accused. This is all he has to offer at this time.

[Folio 25. . . . He adds] that Pedro de Artega, a guard, who came from Francisco Gómez, said to him on the road . . . that when Don Diego de Peñalosa had returned from sacking the house of the accused, he said to him: "I leave there for the Inquisitors over three thousand pesos; let them be content if they will, or let them seek for more from Don Bernardo's estate." The accused believes that these and other foolish things which Don Diego de Peñalosa did have caused him to flee to Peru, where he now is, according to public report.

[Folio 28. Here begins the *auto* of accusation. Mendizábal is accused of irreligious acts, disdain of the Church, etc. He is also suspected of Judaism, and finally, it is charged] that he would not permit . . . merchants from the outside to enter the kingdom of New Mexico and that those who entered he prohibited from leaving, by attaching their goods; for, since it is impossible to take out of that kingdom any silver or any property other than cattle, and as these cheapened the cattle which he as governor sent to El Parral, he closed this commerce with sinister design, and the kingdom lacked what was needful. He even extended this rigorous treatment to the religious, for [upon one occasion] the whole chapter, having to give some sheep, which they raise for the purpose of obtaining ornaments for the church and other necessities, went to the accused to ask license to do so, and the latter replied that expensively adorned churches were not necessary; a few straw huts with ornaments of cloth and a recited mass [instead of a sung one] would be sufficient.

2. Not only did the accused on the occasion specified burst out with the speech mentioned, but also he said while he was on the visitation that the Indian ordinary officials need not proffer their services to the convent, that singers and churches were unnecessary, and that a hut and a cloth ornament would suffice for saying mass. Although this speech is in conformity with the foregoing, it was a more serious offense because it was said directly to the recently converted Indians, whereas the former statement was made to the religious. There must also be added the hindrance which the accused attempted on his own account to place in the way of celebration of the divine offices, all of which sufficiently demonstrates that he has an heretical spirit.

3. Again, the religious, acting as *definitorio*, having gone in September of the past year, '59, to the *casas reales* of the villa of Santa Fé to ask him to concede Indian cantors for the churches of their *doctrinas* in order to praise our Lord, the accused replied that it was the office of the priests to be present in the choir and at all divine services. The reply was made to him that this was true, but since there was only one priest in each church,

he could not be present at the same time both at the altar and in the choir. To this the accused replied that it would be less inconvenient to have the masses recited [folio 30] than to have the singers assist. He added that he had seen in the churches of the religious of that *custodia*, a number of ornaments of fine cloth and silk, and that it had perplexed him to understand where the poor religious could have acquired ornaments so valuable. To this the chapter replied . . . ; apparently then, he did not grant the cantors, and hence the divine offices were celebrated without music, the organs were not to be utilized, and the attendants were to lack the manifestation of devotion and the example of veneration which so strongly draws the Indians to desire our holy Catholic faith and to be steadfast in it. . . . To this the accused replied that the heathen Indians, when converted, took little account of all that apparatus and adornment of the churches. . . .

5. As a matter of fact, the accused made such an order effective throughout the kingdom, and sung masses were not celebrated, save in those parts where the Indians had especial love for their minister. . . .

6. [The same charges are again repeated against the accused, it being alleged that] when he was in the house of a certain person, four leagues distant from the convent of La Isleta, down the Río del Norte, during the past year, '59, in the presence of a certain religious, the owner of the house [having] said that another religious, whom he named, had labored hard in the conversions which he had begun among the heathen Mariso Indians,—that he had, indeed, made a very good beginning—the accused asked: "What conversion? There is nothing but a farm there." . . . [Folio 31.] Finally, the accused replied, depreciating what had been done: "Look at the many images which this church of Senecú has; what is the reason for that?"

7. [Folio 32.] . . . At the time when effort was being made to build the church of Humanas, the accused asked what churches were for. . . .

[Numbers 9, 10, and 11 go on in the same strain, (folio 33) in which the accused calls the friars] licentious cuckold friars, words which he was accustomed to repeat very frequently. He denied the ecclesiastical jurisdiction. [Folio 34. Unseemly acts toward the father custodian, always denying the ecclesiastical jurisdiction and the power of the custodians to give dispensations for marriage. Folio 37. Concerning this point] a certain lay person called to his attention that he had heard that Don Vicente de Zaldívar, although he was outside those provinces, being a resident of Zacatecas, had asked from the bishop of Guadalajara a dispensation [folio 38] to contract matrimony with a relative within the fourth degree of relationship, and adduced in support thereof the services which he had performed in the provinces of New Mexico. To the petition the señor bishop replied that what Zaldívar could do would be to go to those provinces and present to the father custodian thereof a statement of his services and his reasons for contracting the marriage. He obtained the dispensation from the father custodian then in charge, and the bishop accepted it and married the persons. . . .

[Folio after folio follows, containing accusations against Mendizábal. He is accused of making threats.] The accused said that he had come to

govern in things both spiritual and temporal . . . [folio 41] for if ever any Spaniard or Indian, contrary to proper legal usage, made a deposition before him, truly or fraudulently, against any religious, then the accused, instead of forwarding the case, as he should have done, to the competent ecclesiastical prelate, so that he might, after examining the case, decide what should be done, roughly made a disturbance, trying to haul the poor religious over the coals after accusing him indecently and in highly scandalous fashion. [Such procedure is injurious] alike because of the violation of an immunity so privileged as the ecclesiastical, and because by such methods the ecclesiastical state was notoriously shamed, and unverified defects of the religious were published abroad, whereas, even if they were not indeed untrue, but probable, it was not permissible to publish them; nor was it permissible for the accused to arrogate to himself jurisdiction over which he was as a layman not competent.

30. For in the visitations which he made of the pueblos, in the first conversations which he held with the inhabitants, he told them that the religious who administered them could not beat them or punish them for their faults; and that he had no other function than to say mass for them and administer to them the holy sacraments; and that they, as mere parishioners, had no obligation to obey the religious in anything, and hence they might during the visitation make charges against their ministers.

31. [Folio 42. Adverting to certain specific instances in which the accused put into practice that which he thus stated:] When he was engaged in the visitation of the pueblo of Alamillo, he established himself publicly in the plaza with a table before him, and, in the presence of the entire pueblo and of some soldiers, insisted to the Indians that they make charges during the visitation against their minister, who was a certain religious ninety years old. An Indian woman stood up saying that this religious had outraged her, and the accused settled the case verbally, and ordered that the religious should pay the woman a piece of cloth worth one peso. In this, aside from the active inducements which would be offered by the admonitions of the accused, especially when people as facile as these Indians are concerned, there is yet another injustice, namely, that he proceeded to pass judgment solely upon the recital of the case; this would be most blameworthy even in a competent judge, but was even more so in the case of this accused, who could not act as such, nor commit an abuse of jurisdiction in a question which so inured to the injury and discredit of the ministers.

32. A certain person [went to the convent to ask for the cloth, while another protested against the publication of the deed, but uselessly.]

33. [When the interpreter carried the cloth to the woman,] the incident caused all the Indians of that pueblo, both men and women, and other persons who went with the accused and saw the circumstance, to laugh immoderately, as if ridiculing the minister. Another person went to the cell of the religious, following the event, and asked him why he did not come out to defend himself. The religious replied to him that it was of more consequence to him to continue reciting the divine office as he was then doing than to notice all that; for this religious was, in addition to being

very old and of good reputation, a man of great simplicity, who had been engaged in the conversion of infidels for twenty-eight years. . . .

37. [Folio 44.] And in the pueblo of Galisteo the accused seated himself in his chair, with paper and ink, in the form of a court, and publicly commanded it to be cried abroad that all who knew anything against the *guardián* of that convent should come, under pain of death for disobedience, and make accusation. This command and the iniquity of it are so notorious that I refrain from dwelling upon it, but merely allude to it.

[There follow accusations of this character against Mendizábal, stating that he arrogates to himself the temporal and spiritual government of New Mexico, and attempts to keep the religious subordinate to him in every respect.]

40. [Folio 45.] Not only did the accused [make the above-mentioned statements] on the road, but he also summoned the *encomenderos* of the pueblo of Senecú and asked them why they did not make accusation against a certain religious who had in charge the reduction of the nation of the Mansos, because he took the Indians from their *encomienda* and carried them away to the nation of the Mansos. One of the *encomenderos* replied that he did not know this, but that he would go to the pueblo of Senecú and find out. He did go, and found that not one family had been taken, so that he was not losing his tributes, as only a few Indians had gone, for the purpose of teaching the Mansos. In this matter the accused . . . showed his aversion to the Church and to the reduction of the heathen to its control, as well as his little reverence for the priests and religious. . . . [This occurred when Mendizábal was on the way to New Mexico, and shows that he was worse than prejudiced against the religious beforehand.]

41. [He visited Cuarcac, and behaved very indecorously toward the *guardián* of the convent of that pueblo. He does not give the date, but it is nevertheless deduced that between 1658 and 1662 Cuarcac was still in existence.]

42. After the foregoing events, and the return of the accused to the villa of Santa Fé, it happened that the religious who was *guardián* of the pueblo of Cuarcac, being informed that there was an Indian who had been living in adultery for more than six years, and that no judge had been able to cause him to desist, and that he had also been stealing the small livestock of the convent, went to find the Indian to seek proof of the theft. The *guardián* went with his companions to the house of the woman concerned; not finding the Indian, he returned to the convent. On a certain feast day [folio 46] after this event the religious ordered four lashes administered to the Indian woman for her liaison, whereupon she went to the villa to complain to the accused, telling how her *guardián* had had her whipped for the liaison, and asking him to see that he should not again whip her. The accused, through an interpreter, asked the woman in obscene words if the *guardián* had had intercourse with her; the interpreter refused to ask the question in such indecent words, whereupon the accused became angry and obliged him to do so. The woman made a reply exonerating the religious, whereby it is proved that the accused, in violation of the ecclesiastical immunity, made inquisitorial investigation into the lives of the religious.

43. An Indian, one Muza by name, a cantor of the pueblo of Taxique, went to the villa of Santa Fé to complain that the father *guardián* had taken his wife from him and stated that this *guardián* maintained illicit relations with a large number of Indian women. The accused sent for Nicolás de Aguilar and ordered him to go to the pueblo of Taxique and bring the wife of the complainant to the villa. Nicolás de Aguilar did so most scandalously, calling the whole pueblo together and taking the woman away, saying that he was taking her to the villa because of her liaison with the father *guardián*. When the woman reached the villa, the accused wrote to the custodian who was at Cuarac to come to the villa in order that an investigation might be made of these numerous illicit relationships. The vice-custodian was not willing to go, and replied to the accused that the Order had its own means of ascertaining the faults of the religious and punishing them. The accused again strongly urged the vice-custodian, writing to him in very indecent, offensive language against the honor of the religious, telling him that they were all living in concubinage, and that the pueblos were full of the children of friars, or words to that effect. The vice-custodian being determined not to go, the accused sent the Indian woman in question to the pueblo of Taxique with Nicolás de Aguilar and Diego González Bernal, to be present with the vice-custodian during the investigations of the liaisons. From this it is found that the accused's intervention in the legal trial of persons exempt was not only exercised by himself, but that he even gave a commission to his inferiors so to do.

44. Nicolás de Aguilar went and brought the Indian women [folio 47] to the community house, and next day to the porter's lodge of the pueblo of Taxique, and said to the vice-custodian that there were the Indian concubines of the father *guardián*, mentioning him by his own name; he also stated that he had already made the investigation. For this reason the vice-custodian as ecclesiastical judge excommunicated Nicolás de Aguilar, having first asked him why he had examined witnesses against a churchman and religious; to which Nicolás de Aguilar replied: "I do not know; my governor commands it, and I have to obey." Thereupon the vice-custodian imposed a censure upon him, specifying that he should not obey, and that he should go away. Then Nicolás de Aguilar, rising in the place where he was, put on his hat, turned his back upon the vice-custodian, and said that he did not care anything for all the excommunications there were. All these repeated crimes of Nicolás de Aguilar have their origin and cause in the accused for they were committed in obedience to his orders.

45. He [the governor] asked a soldier to inform against the mode of life of the religious; and, because the soldier was unwilling to do so, he exiled him to the frontier of Los Taos. Another person, who was twenty-nine leagues from the villa of Santa Fé and who was unwilling to aid against the religious, so enraged the accused against him that he uttered scandalous words concerning this person, and ordered him to consider the villa as his prison, and there he was detained for some time.

46. [Folio 48.] He drew up a case and executed judgment therein against the minister of Picuries.

47. [He spoke evil of the Audiencia of Mexico, saying] that its members were vermin, rascally idiots, and that three of them had been removed for this reason. . . . [This indicates madness.]

48. [Folio 49.] Upon going to perform the visitation of Galisteo, the accused sat as a court in that pueblo, and, in the presence of some Spaniards, called the Indians and examined them concerning the life and habits of their minister, the religious. He then ordered under penalty of death that they should not communicate to the *guardián* and minister [what he had asked] nor should the interpreters speak to him. [Similar accusations against Mendizábal follow, such as bad treatment of the religious by word and deed, in folios 51 to 53.]

[Folio 50. This was on the road from Mexico to Santa Fé. He pretended to have secret instructions from the Duke of Albuquerque]⁷² to put the religious to the *garrote* [i. e., strangle] or hang them and send them away ignominiously in pack-saddles.

54. When he arrived at El Paso del Río del Norte, whither the heathen Manso and Humana nations come, they having begun to be reduced . . . [he ordered them to take down the branches which they had placed for the reception of the father custodian.]

55. [Folio 51.] The accused ordered that all the settlers for fifty leagues round about should come down to the pueblo of Senecú, which is the first within the government of New Mexico; they were to go thither for the purpose of accompanying him to the villa of Santa Fé. Some two hundred persons were entertained in the convents, it being necessary to entertain them and the accused without remuneration in these convents, because the natives of those parts have nothing wherewith to entertain guests. Hence the vanity of the accused exhausted the convents through no fault but his own, for they were ruined by such great expense.

56. Although his Majesty has ordered that the governors of New Mexico shall not prevent the Indians from taking care of their own corn fields and those of the religious, because it is from these that they obtain their support, and those who so assist the religious are excused from the tribute and personal service, yet the accused would not concede this, but prohibited both it and the raising of sheep and goats, causing the statement to be circulated that the religious kept this livestock for trade. This statement was due to the hatred which the accused felt toward the religious—a vice common to those who suffer from evil traits like his. For he should have taken note that if the convent or the religious need to buy horses so as to go about administering the holy sacraments, or to buy cloth for the churches or convents, or for themselves or their servants, tools for manufacturing, or anything for their own sustenance, inasmuch as there is no money they trade with wheat, corn, sheep, or wool; for nearly all transactions are conducted by barter of certain goods for others. There is in this nothing derogatory to the religious state, yet the accused said that the flocks and fields of the convents were excessively large; he failed to note that to keep fifty sheep it is necessary to have four hundred ewes. For,

⁷² Bolton (*Guide*, p. 469) lists Francisco Fernández de la Cueva, Duque de Albuquerque, as viceroy of New Spain from 1653 to 1660.

although [folio 52] they all lamb, the severity of the winter kills over half of the young, and those which are left are not grown in [less than] two years, and they are always used for food.

The other things mentioned are always necessary, for the convents support the sick of the pueblo, and they even support all the residents in time of want, as is well known in that kingdom. The convents of Senecú, Socorro, La Isleta, Taxique, Cuarac, and others, which had some wheat, corn, and cattle, when these were sought for, gave on every Sunday during all the time of famine an entire week's ration to their parishioners to keep them from wandering away. When the chapter mentioned this to the accused, he replied that the Indians should not be given alms nor assisted and, furthermore, that they should be allowed to go to the mountains. . . . The accused added that the things which the religious had were for the purpose of bartering for heathen Indians, men and women, and he said other most indecorous things . . . causing loss of devotion . . . and even of faith, in the hearts of the Indians. For they, lacking capacity, easily forgot what had been preached and taught them, because it seemed false to them. Because, when they heard the evil words of the accused . . . these gave them occasion for thinking that the authority of the ministers and priests was null, and that they were no different from any layman.

58. [Folio 53.] . . . at the end of July of the year '60, the religious were determined, provided no relief should come to them from this city, that they would consume the holy sacrament in all their churches and depart from the kingdom.

[Even the residents of Santa Fé refused to go to mass, under orders from Mendizábal. . . . The accusations go on in this strain, recounting offensive words, orders to the Indians to kill the religious. . . .]

64. [Folio 55.] When some Indians of the pueblo of La Isleta came to make complaint against a certain religious, the accused, after hearing it, replied: "Go, and shoot him with arrows. . . ."

66. [Folio 56.] On a folded sheet of paper written on three sides, from the accused to the *doctrinero* of Humanas and Tavira, having a short annotation on it which says "from the governor," and which begins thus, though I do not know how it ends: "Villa, July 20, 1660, from Don Bernardo López de Mendizábal," the accused showed his hatred for the religious by charging in sinister manner that the reason the Indians did not go to mass or learn the doctrine was because they wanted to get away from the excessive labor which the religious imposed upon them under color of the mass and the doctrine, whereas the truth was that their reason for not attending either was occasioned by the accused and his subordinates. The accused also says against the ministers in this same letter that he believed that the Indians were still the same as they were when heathen, for there had not been nor was there in that *custodia* any one to teach them anything except to sin. . . . The accused also censures the religious in this letter, saying that all that the Indians knew was to watch and herd great flocks and serve as slaves, filling the granaries of the religious with seeds which were tilled and harvested with their blood. He forgot the moderation with which the religious act in these things and the prime necessity for these

fields and flocks which existed. . . . The one who tyrannically made the Indians work, causing their death from sheer hunger and without confession, was the accused himself, who says falsely in this same letter that the Indians of the pueblo of Humanas, both men and women, were exhausted by drawing water by hand from [wells] fifty *estados* deep, for a thousand head of sheep and goats and a hundred head of cattle, because the deepest well must be no more than ten *estados* deep, and there are wells of only four to five *estados*, the whole number of them being thirty-two. The sheep and goats would number at most some four hundred head, and the cattle only [folio 57] six or eight oxen. Apparently, then, he wrote as he did to this religious only to annoy him and to oblige him to go himself to procure the water . . . ; especially was this true concerning the order which he gave to have the Indians taken away from this religious.

67. [He speaks of the visitation of the pueblos in the year 1659. There is also the case of Socorro, and of the religious who had the notes concerning the liaisons of the Indians. He mentioned this matter at Cuarcac, at the table.]

[Folios 58 to 60. Repeated scandals against the religious, and even ill treatment of the settlers who were partisans of the friars. Folio 59. Sebastián de Herrera] being alone and having no one to leave in charge of the hacienda which he had in the country, was needlessly sent to the Taos frontier upon a night when his wife had just given birth to a child, there being no reason for this exile save that he had had a certain religious who was very ill, in his house a few days as a guest. . . .

74. In the visitation of the pueblo of Galisteo . . . the accused asked the Indians how many women the father had who went to the convent to visit him; he also asked who [folio 60] the women bakers were, and had them called into his presence, and said to them that their faces were too pretty for them to be bakers, and that they should look for others who were old. . . .

75. [Nicolás de Aguilar was his right hand.] This was because Aguilar, a *mestizo*, to whom the accused had given a judicial position, persecuted and tyrannized over the religious; . . . he gave him this position only to do harm, having first removed from it Captain Pedro de Leyba, because he knew that Leyba was partial to the affairs of the Church. . . .

[Everything up to folio 70 touches on Mexico, where Mendizábal acted the same way prior to 1657.]

[Folio 71.] What is more serious is the fact that the accused also ordered that the Indians should not attend instruction in the Christian doctrine, especially in the convents of Las Salinas. 103. [He stopped service for the convents]. 105. [In the pueblo of Socorro he left the minister two servants, upon payment of] three-hundred fleeces of wool, which were given to him. Thereupon the accused immediately distributed the wool among the Indians [for the purpose of having them make him 600 pairs of stockings.] 106. [In Isleta he took away the shepherd who was caring for the sheep belonging to the convent.]

[Folio 72. Continuation of the accusation. The injurious deeds which Mendizábal is said to have done, and the insane speeches he is said to have made, are innumerable. They were always against the religious.]

112. [Folio 73.] The accused, being governor of New Mexico, ordered that the Indians, native to the pueblo of Sevilleta, whom the preceding governor had gathered in the pueblo of Alamillo, in conformity with the unanimous opinion of all who were present at a *junta general* which he called there, should be returned to their own place. The result was that serious idolatry was caused thereby, practiced by these Indians from Sevilleta on the Río Puerco near their place. They were also held as slaves on the hacienda of Captain Don Diego de Guadalajara, who, by virtue of being their *encomendero*, kept them in such oppression that he did not even allow them [folio 74] to recognize their minister, but kept them busy carrying to their pueblo the salt which they get for the governors every year, it being in the cordillera of Las Salinas. When the accused altered the arrangement made by his predecessor, the Indians had already been assembled three years at Alamillo, where they had houses and lands and a minister of *doctrina* who cared for them; but for the sake of his own interests the accused took them to their old pueblo at risk of their continuing their hateful and infamous idolatries, the abettor and promoter of which the accused must be considered to be. And all this harm came from the self-interestedness of the accused, he being led to act so unwisely by a gift of some mules which the *encomendero* of that pueblo had promised him.

113, 114, 115. [Foolish and ill-intentioned acts of Mendizábal directed against the *guardianes* of Socorro and Senecú. Folio 75. The same conduct toward the *guardianes* of "San Gregorio de Abó" and Taxique, the accused making ridiculous pretensions for his reception, demanding that the fathers should come out two leagues from the pueblo to meet him.]

122. [Folio 76.] The bad conduct of the accused, the abhorrence for the holy sacraments of the church shown by him and by his wife also. . . . [I cannot copy all these details, which only prove the hatred of Mendizábal and his wife Teresa for the religious and for the Catholic Church in general. A Lutheran or a Puritan could not have spoken or done worse.]

[Folio 83.] And since the nation of Manso Indians is so barbarous and uncultivated that all its members go naked, and, although the country is very cold, they have no houses in which to dwell, but live under the trees, not even knowing how to till the land for their food, the religious who undertook their conversion and reduction desired to take certain Indians who were already Christians and civilized from the pueblo of Senecú—it being the nearest one to the Manso Indians—to teach them to till the soil for their sustenance and to build houses to keep them from wandering, and to build churches where the divine offices might be celebrated. All this the accused tried to prevent and did in fact prevent, ordering, by an edict, which the *alcalde mayor* of Senecú, one Granillo by name, published, that no Indian of Senecú should go to any other locality. This he did cautiously, lest his heretical spirit should become known.

152. [Folio 84.] . . . a certain religious being in the pueblo of Los Taos erecting the church of that pueblo, which the Indians had in preceding years torn down, killing their minister, the accused placed in the pueblo as governor the very Indian who was presumed to be the murderer of the

said religious. For this crime, and because he had put on the chasuble of the deceased priest to dance in, Governor Don Juan Manso had brought suit against this Indian, whose name was Francisco. Yet the accused commanded that, under penalty of death, no Indian should work on the erection of this church, so that the minister was obliged to submit his resignation.

153. When another religious was in the pueblo of Humanas erecting the church and convent of that pueblo from the foundation up, the accused commanded that, under penalty of death, no Indian should work on that enterprise. But they, to the reproach of the accused, continued building because they had no church.

[There follow a multitude of foolish deeds, blasphemies and stupid acts imputed to the accused, which are only a continuation of the foregoing accusations and indicate insanity on the part of Mendizábal. I select from this mass of charges only No. 165, folio 86, as an example:] The accused, being in the communal house of the pueblo of La Isleta, said to many residents . . . that if they were people of discernment they would adore him as they did the Holy Spirit, because he was such a good judge and hated the friars. . . . [Such expressions and similar inanities are found in abundance as far as folio 90:]

176. [Folio 90.] The Indians in the pueblo of La Isleta danced the *catzinas* by permission of the accused, and in it they openly invoked the devil, all of them representing his infernal image, giving him thanks for the liberty which the accused had given them by freeing them from the correction and instruction of the evangelical ministers. The accused had it understood that the ministers had kept their parishioners, Spaniards and Indians alike, deceived; nor could the ministers prevent these dances because the Indians replied that their governor had already given them license to live as they had done previously. . . .

177. In order that the seriousness of the crimes which permission to perform these dances entailed may be known, it is to be noted that there are two varieties of the *catzinas* dances. In the first occurs the express invocation of the devil, addressed to his false priests. There is also a ritual discipline and an offering of the fruits of the earth to the devil. In the other kind there is less of solemnity but much of superstition; there also occur lascivious incests, with intercourse between fathers and daughters, mothers and sons, and brothers and sisters, no attention being paid to relationship. Before dancing the first kind, the Indians fast two or three days; the fast being concluded, comes the day of the dance. Appearing naked, they put on their faces a kind of hood, or mask, having a small hole through which they can see a little. The masks are made of cloth or of elk-skin. They also put on other masks which are dyed black. The ones who put on these are the most idolatrous; before they appear in public they rehearse in their underground council-chambers. When they come out before the public one of them puts the offering in the place where the dance is to be performed. The other participants dance around the offering, using a language which is not understood, even by the Indians, or else they will only say that it is the language of the devil. If they are asked why they perform these dances,

they say that it is to obtain possession of the woman they desire, that the devil may give her to them; or, they ask that corn may be given them, or for some personal favor. Then, one or more of them seizing palm leaves, they cruelly beat the dancer or dancers who wish to make a blood-sacrifice to the devil; they become so frenzied that they seem to be beside themselves, without having previously taken any intoxicating drink. Sometimes [folio 91] they go away from this dance, enter whatever house they wish and have carnal intercourse with the woman whom they desire. In the second variety of this dance no fast occurs, although there is sometimes a ritual in the form indicated, but always they keep their masks on, and perform the dance to the singing of that unknown language. After dancing they go to whatever house they desire and have intercourse with women who are relatives within the degrees of kinship mentioned. Hence there exists a pure idolatry and cult of the devil, applauded and encouraged by this perverse defendant.

178. Also in these *catzinas* there are some who wear ugly painted masks. Certain Indians put them on, go to dance in them, and try to create the impression that they come from the other life to speak to the persons to whom they appear. In the dances in which the fast occurs, the one who fasts distributes feathers to those whom he superstitiously considers to be lucky, and, on the day upon which the *catzinas* are to be danced, he has the plaza of the pueblo swept. Then the one who has fasted goes toward the east, accompanied by those whom he has chosen, and there they beat him. One of them, in the character of an acolyte, places on the ground some feathers and flour, upon which the one who fasted stations himself. This same thing they do after going to the north, to the west, and to the south. They then take the faster to a cave to give him certain beverages. All this they do thinking, vainly and superstitiously deceived by the devil, that they will achieve good fortune, and be brave. In other *catzinas* dances many Indians come out, wearing masks to dance in the costumes of men and women, none of them actually being a woman, but all men. For what purpose this is done is unknown. In other dances they worship an idol, each one offering him whatever he wishes to offer; they also erect an altar to him. Hence these dances are superstitious, heathenish, and idolatrous. . . .

179. Nor can it serve as an excuse to the accused to pretend ignorance of the evils comprised in these dances; for it was enough to know, as he did know, that they had been forbidden to the Indians by the parish ministers ever since the beginning of the conversion until that time, wherefore he should have assumed that they had legitimate reason. . . . He had brought about a meeting of the [Indian] judges of the pueblos in the vicinity of Santa Fé [folio 92], and had made them perform dances, even the *catzinas*, whereby the remainder of the kingdom was scandalized, for the people had never seen these dances and considered them idolatrous and diabolical. [To this charge] the accused responded that they did not know what they were talking about; that the *sarambeque* and other dances which the Spaniards danced were not prohibited, that he had detected no superstition in the *catzinas* . . . and that they might dance them as long as he was governor. . . .

180. Among other injurious effects which were occasioned by this permission, not the least was the experience of a certain person who entered an Indian council-chamber under the ground near the convent of La Isleta, where he saw, in the month of May of the year '61, eleven figures, or diabolical masks, with which the Indians danced the *catzinas*, suspended in the manner in which, among Christians, the holy images are placed. Beneath one of these masks was the offering which these Indians are accustomed to make, it being a wreath of flowering grass, some feathers, and a sort of short petticoat marked with black, having a border ornamented with beads. Thus this council chamber was a sort of house, or temple, of heathen idolatry, its presence within the pueblo and close to the west side of the church being entirely unsuspected. Nor is it to be doubted that these Indians would not have dared to show such brazen, heathenish, idolatry save under permission from the accused, this being the chief encouragement of their idolatry, apostacy, and perversion. Otherwise they would have been restrained by fear of punishment, because they, as a people, are moved by rigorous punishment; but its omission and the immunity granted by the accused made it easy for them to commit such serious and reprehensible crimes as these.

181. The accused also ordered the Indians of his district to go to Santa Fé and dance the *catzinas*, and they donned their costumes and their devilish masks in the very *casas reales*, from which place they went out upon the plaza to dance. The accused gave them watermelons and other things customarily used and offered during these dances. . . . He also told the Indians to go ahead and perform the *catzinas*; [folio 93] that the fathers were a lot of drunkards, and that their sowings⁷³ were just like the *catzinas*.

182. . . . The accused said publicly in a loud voice in the corridor of the *casas reales* . . . that if it were not for the necessity of upholding his dignity as governor he would himself go out and perform those dances, and for a little he would do it anyway. . . .

183. . . . On one of the many occasions upon which the *catzinas* were danced in the pueblo of La Isleta, the Indians brought out a child about four or five years old, using it as a sacrifice by beating it . . . and even the Indians said that it seemed as though the permission to perform these dances had turned the people back to their old heathen condition.

184. Among the injuries which were due to the evil administration of the accused . . . not the least was the fact that during his visitation he learned of liaisons and did not punish them, but ordered the Indian who maintained the relationship to pay for his sin by giving the woman cloth. . . . He gave license in writing to certain Indians who, having been corrected by their ministers for maintaining illicit relations, went to complain to him, to leave their pueblos and go and live wherever they pleased. This caused the Indians [folio 94] to say barbarously that their governor, the accused, gave them permission to live in concubinage, and with many women, as in the days of their heathenism. . . .

⁷³ See note 66, *supra*.

185. But the most serious result of this vicious immunity, according to the public report which was current in those provinces, is that the accused ordered the natives to live under whatever law they pleased . . . and the facts proved the rumor which was current against the accused, for an Indian went to the father *guardián* of Galisteo, and in the presence of several Spaniards asked that he might be married to two girls, and when the minister told him that which it was his duty to say . . . the Indian replied that the governor, who was the accused, had ordered the Indians to live as they had in former times.

186. . . . It was proclaimed in the pueblos, particularly in those of Las Salinas, that no governor, alcalde, or judge should punish any crime committed, nor permit the parish ministers to punish them. . . .

[Folio 95. The case of the Indian, Pedro Chiusa of Taxique, whom Mendizábal permitted to live in Cuarac because the priest of his pueblo had punished him. 187-188. The influence of his promulgations and his orders against the religious and the Church was felt as far as Zuñi and Moqui.]

189. [Folio 96.] . . . He even said to the Indian captains: "Who do you think these friars are, a lot of horned he-goats? I tell you, shoot them; if you do not, I will hang you and them also."

190. He insulted the *cabildo* of Santa Fé; he had a very dark gloomy room in the *casas reales*, in which he held men as well as women prisoners for no other reason than that of his uncontrolled passion. . . .

[As far as folio 104, everything is charges of heresy, Judaism, and even suspicion of witchcraft.]

212. [Folio 104.] The servants of the accused knew that he was so uncontrollably lascivious that he even had intercourse sometimes with the heathen Apache women whom he had in his house, particularly with one, who was later in the house of Diego Romero. . . .

214. [Folio 105. This case recalls the marriage records copied by me in Santa Clara.] So unbridled was the concupiscence of the accused that he availed himself of the authority of his office to assist him in his misdeeds to such degree that women who had committed crimes for which he was to examine them were not free from his barbarous lust. Such an instance occurred with an Indian woman named Teresa, a native of the pueblo of San Juan, whom the accused detained for many days in his palace because it appeared that she had killed her husband. The same thing occurred with Petrona de Gamboa, who was also detained in the same house for the purpose of investigating the death of her sister. The accused kept her in his wife's dressing-room and sent to have her called under pretext that she should come to take an oath; but before she reached the room where the secretary was, there was another, used as a harness room; there he knew her carnally, and later went on with the judicial processes for which he had summoned her. And a certain married woman in Las Salinas the accused called for the purpose of having her certify to a deposition, and he used force upon her in order to know her carnally, ordering [folio 106] the secretary to detain her husband while he

had his lust of her. It would be tedious to relate other misdeeds concerning which evidence is produced against the accused.

222. [Folio 108.] And it was public knowledge that when the accused caused the collection of the diabolical instruments of the *catzinas*, as prescribed by the command of the commissary of this Holy Office in New Mexico. . . . [Folio 109.] The general edict of the faith was published in Santa Fé in September of 1661, but neither the accused nor his wife was present at the public reading of the edict.

231. [Folio 110.] On August 26th of the past year 1662, [folio 111] at the time when the accused was arrested by order of this Holy Office, he affected humility and submission. He left Santa Fé about the end of September or the beginning of October of 1662. [The accusation is signed by Rodrigo Ruiz de Cepeda Martínez y Portillo, attorney of the royal audiencia and *fiscal* of the Holy Office. It ends at folio 121; after it follows the answer or defense of the accused. He denies everything, point by point, indicating as his chief calumniators Fray Juan Ramírez and Fray Alonso de Posadas. The first of these was custodian; the latter held that office in 1663.]

REPLY OF MENDIZÁBAL

[From folio 122 to folio 128, everything is accusations against Fray Juan Ramírez and Fray Alonso de Posadas.]

[Folio 130.] Fray Alonso de Posadas gave permission to Fray García de San Francisco in the name of all the friars of that *custodia*, to present, as he did, two petitions against the accused; one of them requested that he be made a prisoner and kept under guard; for many things concerning the service of God and the king needed to be inquired into. In the other petition, criminal trial is asked for in the many cases and charges alleged in this accusation. It says in conclusion, that the acts alleged against the accused he did say and do because there was no gospel [preached] in those parts, this being a general statement intended to serve as defense against all charges actually or possibly made. It asks for fourteen thousand rams and ewes, and says that the accused has not been heard, because it was feared that he might want to answer, and the religious had no authority to hear him. [The accused denies having prohibited the entry or the departure of any merchant. He admits that he did by *auto prohibito*] generally the export of herds from that kingdom, especially except under license from himself. This was because, at the time that the order was issued, all the settlers and Indians were dying of hunger because they had not in preceding years gathered enough provisions. For the same reason, and on account of the inclemency of the seasons, there was also great lack of cattle. The prohibition has been imposed for the additional reason that he feared that the covetousness of Fray Juan Ramírez, who was well supplied with many things, would end by ruining the country.

[Folio 131. . . . He says also] that the churches of New Mexico cost the religious no money, nor do even the ornaments cost anything. The Indians build them from adobes, and every thing is exceedingly meager; all the things that they publish are only pretenses. The herds and the other

enterprises which they maintain are used to furnish presents for the prelates of New Mexico for the purpose of causing them to overlook their evil lives, and in providing dowries for their daughters and leaving inheritance to their sons, as was the case with Father de las Gracias and many others, all of whom, if it be necessary, he can recall from memory and will enumerate. . . .

He said that . . . he had had news from this city . . . of the tyranny with which the Indians of those provinces were generally used, and that in the pueblo of Senecú Fray Juan Ramírez and Fray García de San Francisco mentioned and exaggerated this thing, saying that the work done by the Indians was not paid for and that they were oppressed; that as the highest recompense for a day's work it was customary to give them an iron awl, which run one hundred to the pound [*que de una libra salian ciento*]; and that often even this was not given to them, which was the cause of the hardships and hunger with which God punished those provinces. They charged the accused to remedy this situation and assign the Indians a daily wage; a conference was held between the accused and the above-mentioned [religious], and it was agreed to give them as a wage, according to the country and other circumstances, an amount of goods which would be of service to them, equal to one *real*. . . . When [the accused] reached the villa of Santa Fé, he had the *cabildo* convened on the second or third day, and sent to it a proposal that thenceforth such compensation [folio 132] should be credited to the Indians in the form specified, or that an account of it should be kept. Although those who were present in the *cabildo* replied saying that the wage indicated was exorbitant . . . because the Indians did not work willingly, the accused finally drew up an ordinance providing that the daily wage of each Indian should be one *real* in cloth, antelope skins, corn, or wool, and that they should also be given their food. . . . But he did not notify the religious, because, though he might have done so in conformity with his Majesty's orders, the accused had a mind to leave the matter in the form in which it was. . . .

[Folio 133. He roundly denies the charges specified in Number 3 concerning cantors, and asserts that] Fray Joseph de Espeleta made an appeal to the royal audiencia in the name of the *doctrineros*, though they had all the volunteer singers they wanted or could use, namely, a cantor and a sacristan, and where there was an organ they had an organist. These persons by order of the royal [audiencia] were excused from the tribute and from labor. Wherever the *doctrineros* wanted masses sung in the pueblos during the time of the accused they were always celebrated with many cantors, and the accused himself heard them in a great many pueblos. It is therefore false that it was not possible for them to have sung masses because they were deprived of singers. . . . The ornaments, some of which he has seen, are very ordinary and cheap, being of cloth; he has seen nothing rich or costly among them, nor does he know where there are any such, neither does he remember having seen costly ornaments in any of the convents. . . . [Finally,] notwithstanding that he contradicts himself more than once. . . .

[Folio 134.] . . . And [he says] that he knows from experience that, while [ornaments] make a greater impression upon the Indians than can be made without them, they being exceedingly ceremonious and ignorant, he does not know whether this is due to devotion or to their compliant nature, for, although it may not be a question of divine things, they are deeply affected by ornamentation and paraphernalia. . . . [Folio 135. He mentions Fray Antonio de Ybargaray as custodian and minister of Nambé during the governorship of Mendizábal. He persists in his accusation against Fray García de San Francisco concerning the mission of the Mansos.] Fray García was there attending to the establishment of a farm, and obliged even the heathen to construct a ditch for it, with great labor, from the Río del Norte, of which the heathen Indians often complained to [the governor]. Fray García had also taken there a large number of cattle, as the accused saw, so that these heathen might care for them. . . . [He also denies having refused the minister of the pueblo of Humanas his assistance on the church of that pueblo. The minister of Humanas was at that time Fray Diego de Santander.]

[Folio 140.] He says that, as he has already stated, the temples of those provinces are not objects for admiration, nor are they sumptuous, for they are very small, with walls of mud and adobes, built without skill and at no expense. He asserts that the best of all those he has seen in those provinces could, considering their location, be built for less than two hundred pesos. . . . [He speaks of "the Granillos" and of a mulatto "named Juan García" as his principal enemies.]

[He avers] that what he said was, that the *doctrineros*, under the pretense that it was for the temples and divine worship, tried to force all the Indians of the pueblos, men as well as women, to serve them as slaves, whereas it was, as he has said, merely for the purpose of trade and barter. For it cannot be to the interest of divine worship, nor does God desire, that they should keep the Indians in dungeons and work-shops weaving frieze and sackcloth to be sold there and to be sent to other provinces, without paying the Indians for their labor or allowing them to provide for the maintenance of their wives and children. They maintain the shops right in the convents for this purpose, as he found a certain Fray de Salazar, the *doctrinero*, doing in the pueblo of La Isleta. . . . The accused also says that not only did he not prevent erection of churches, but, if he saw a church begun, although there was already another one, he ordered the Indians to complete it. This was what he did for instance, as soon as he arrived at the pueblo of Alamillo; when the Indians called his attention to the fact that they were busy harvesting their crops, he nevertheless commanded them to finish the church. In El Paso del Río del Norte [folio 141] he proposed to build the temple at his own expense in case Fray Juan Ramírez and Fray García de San Francisco should be inclined to that place for a mission. And as soon as he reached Santa Fé, he saw that the church was without an organ, which seemed to him very improper, and so he said to Fray Juan Ramírez, custodian, and to Fray Miguel Sacristán, *guardián* of the villa, that an organ ought to be brought there, and that if it was too expensive to do so, [he], the accused, would pay half the cost, and if the expense was moderate, he would bear it all.

[There follow accusations against the religious alleging their abuse of the Indians.] The reason why the said *doctrineros* wish to have many Indians exempt is because they likewise collect the tribute from which even those who engage in divine worship are exempt, they not being content with the Indians' serving them, as is well known and will be acknowledged by everyone in New Mexico. [Folio 142.] These *doctrineros* raised their herds and conducted their business under color of promotion of divine worship, and it is true that the accused and many with him noticed the impropriety of keeping a corral full of cattle at the door of the church, for indeed one could not remain in the church on account of the stench. . . .

[Folio 143. Long complaints against Fray Juan Ramírez for not having received him in the convents of Sandía and Santo Domingo. Fray Hernando de Velasco was in Sandía. In Santa Fé, Mendizábal and the *cabildo* did the same with Fray Ramírez when he came there from Santo Domingo. He asserts that Ramírez pretended to have an order from the Holy Office for the arrest of certain persons. Among the fathers who came with him from Mexico he mentions Fray Miguel de Guevara and Nicolás de Freitas. As to the question of ecclesiastical jurisdiction, he denies that he ever refused to acknowledge it. Fray García de San Francisco excommunicated Nicolás de Aguilar. Folio 144. He says] that, on account of the uncertainty which has always existed there, and of the contentions with the governors and the *cabildos*. . . . [Later he denies the ecclesiastical jurisdiction on the part of the religious.] In those provinces of New Mexico for a great many years there have been disputes between the governors, the *cabildo*, and the custodian. . . .

[Folio 145. The case of the woman of Taxique.] Many Indians of the pueblo of Taxique having come to him to complain of abuses which they had to endure from their *doctrinero*, among them being the rape of many of his women parishioners, the accused called the attention of the vice-custodian, Fray García de San Francisco, to the situation so that he might remedy it, writing a letter to him for the purpose. In his reply, Fray García told the accused that he had come to the pueblo of Chililí in Las Salinas to execute justice and perform his other duties; there he was waiting for an Indian to be sent to him who had recently made accusations against the *doctrinero*, Fray Diego de Parraga, complaining that the friar had taken his wife from him, and had obliged her every night to arise from her husband's side to go and sleep with him. . . . [This Indian was the sacristan. There follows the case of Nicolás de Aguilar with the vice-custodian in the doorway of the church of Taxique. Long explanations. The case came to nothing. But the Holy Office continues examining Mendizábal, and (folio 151) questions him as follows:]

Whether, in the prior hearing he said that he commanded Nicolás de Aguilar and Diego González to take the Indians to the vice-custodian, as stated, and to look for the others who had made complaints against this same *doctrinero*, and whether they were taken there; and whether there were gathered together a large number of Indians who were all brought before this vice-custodian with no other justification on the part of the accused than the statement of an Indian, and on the part of those who

took them no other reason than that of heeding a number of Indian women; [folio 151] whereas the commissaries, according to the evidence before this Holy Office, had already collected the Indian women, obtained their statements and taken them all together to the custodian, saying that they had already examined them. . . .

[The accused exculpated himself by equivocations and evasions. Then follows the question concerning the vice-custodian in Taxique.] The accused stated that, as he has said, and for the reasons expressed, it is true that he issued an *auto* in which the vice-custodian was notified to show the commission under which he exercised jurisdiction against seculars, and in cases so irregular as those which arose and were tried there, occasioned by the uncertainty which for more than forty years back, during which the controversy had continued, had caused so many disagreements in those provinces. There had been no remedy for all this on account of the incivility and disregard of the religious toward those who sought redress.

[As far as folio 163, everything concerns the question of ecclesiastical jurisdiction. Later, in the same folio, he speaks of Father Fray Antonio Ybargaray, who presented him a petition from the custodian asking for a transcript.] And, inasmuch as they were good friends, he, after having regaled Fray Antonio de Ybargaray, was laughing and chatting with him, when the friar unexpectedly, with no cause whatever save that, as was found out, he had promised the vice-custodian to do so, said very furiously: "Do not [speak] to me, for on my word, I won't endure it." To this the accused replied: "But father, I am talking to you without saying anything [of importance]." Then the friar said: "I am listening to you talk a million absurdities without saying a word," and he became enraged. . . . And if the accused spoke any word of anger, which he does not remember having done, it was for the purpose of stopping Fray Antonio de Ybargaray, for he is very headstrong and uncontrolled. When General Don Juan de Samaniego was governor, this friar seized him and threatened him, telling him that he had trampled the church underfoot when he punished the heathen enemy without consulting the religious. . . .

[Folio 167. The case of the minister of Alamillo.] The accused said . . . that what occurred was this: According to the custom, which is for the governors to seat themselves in the plaza or other public place to perform the visitation of the pueblos, first convoking [the inhabitants] and asking them through an interpreter to tell him the things for which he had come, he took his lodging in the convent of the pueblo of Alamillo, and then seated himself in the plaza. Among the Indian men and women who came forward to tell him their troubles and molestations, or to make whatever complaint they had against any person, was an old Indian woman, who stood up, saying that an Indian captain had used her carnally and had not paid her the price, which they had agreed upon long years since. The accused, having chided her for the sin, caused the Indian to appear and compelled him to pay the price. . . . Immediately another Indian woman, a young one, arose, and gave her story to the interpreter, who was a servant of the *doctrinero*. When the accused questioned her, she said that she was

complaining against the old man who had outraged her . . . and the interpreter said: "She is not speaking of this old man, Sir, but of the father, my master. . . ." [In order to avoid a scandal, the accused sent to ask the religious for a piece of cloth for the woman, but he had none, and sent an antelope skin instead, which the woman would not have. He attributes the story to a lay brother called Chávez, who was present at the occurrence. He was on good terms with the father, concerning whom he says (folio 168) that he was known to be insane.]

[Folio 170. Complaint is made against Fray Nicolás de Freitas, Fray Juan Ramírez, and Fray Diego de Santander, for intermeddling in affairs of royal justice. The last named] was very young, and was the cause of most of the disagreements which arose with Fray Juan Ramírez, talking very freely about wanting to have it acknowledged that the said Fray Juan Ramírez was judge of all the seculars, and that there was no other. . . . [He denies having refused to Fray García Indians of Senecú for the Mansos. Folio 171. He wrote to the vice-custodian after his visit to Las Salinas, saying that in all Las Salinas,] during the visitation which he had performed, he had seen that the Indians were pleased with their *doctrineros*, and that this information had been particularly pleasant to him. . . . [He denies having made reports against the religious, except once] on the occasion of a report concerning the state of those provinces, which referred to the innovation in the matter of the usual enslavement of the heathen who were taken in war. For Fray Juan Ramírez made false reports to the viceroy and the audiencia, saying that the accused had sent, for his own purposes, to El Parral to seize a large number of heathen, men and women, who had not been taken in war but who, due to their suffering from hunger, had entered the Christian pueblos in quest of succor. This is false, for [the event alluded to] did not occur during the time of the accused; and the heathen slaves who were on hand when he began to govern were in the power of the *doctrineros* waiting for Fray Juan Ramírez to sell them, as was done, and he took forty-three of those in this condition, sold and disposed of them, and charged the deed to the accused. . . .

[Folio 174.] He said that it is false to attribute to him judicial action against any religious whatever, even against Fray Luis Martínez. Proof of this may be shown by evidence, for, this friar having committed the execrable crime of forcing a woman, cutting her throat, and burying her in an office, or cell, in the convent of Los Taos, the accused reported the case to the prelate and asked him to take proper measures, lest Fray Luis Martínez commit another crime, he having returned to those pueblos, or lest the Indians there should kill him and revolt, as they did upon another occasion because of an event like this. Pursuant to this report, the custodian issued a patent in which he stated that, as the accused had advised him of the case, he should be seized by any *doctrinero* to whose convent he might come. He also said that the investigation which the accused had made of the case was made at the request of the Indians; for Fray Juan Lobato had buried the body of the dead woman in the church, having taken it from the cell, or office, secretly, so that it might not be known. . . . [Folio 175.]

Although the said Fray Luis Martínez was with the accused two days in the house of the latter after having committed the crime and confessed it to the accused, and asked him to punish and confuse the Indians of the said pueblo and the husband of the dead woman, for they themselves said that they had grown accustomed to such cases and crimes committed by other religious, yet the accused said not a word to this lay brother, save to counsel him not to return to that pueblo lest they kill him. After Martínez had slept two nights in the house of the accused, he took his leave and went away. . . .

[Chapter 51. Reply. Folio 176. There came to receive him (55)] only four or five envoys from the governor, his predecessor, and from the *cabildo*, according to custom. Among them was Francisco Gómez, who was a *sargento mayor*, and he alone stayed with the accused and accompanied him as far as the villa. . . . [This was in Senecú. Folio 177. He denies having molested the religious.]

61. He said that the man referred to in this chapter to whom the accused is said to have given the command mentioned, was a seditious *mestizo*, and that when the *doctrineros* and most of the settlers killed Don Luis de Rocas [Rosas] and threw off obedience to the king, this man was one of the rebels. His name was Diego Martín. It was he who broke in the door so that they might kill Don Luis de Rocas; for Martín had been condemned to death along with the rest, some of whom were executed and others fled. This *mestizo* continued in his rebellious and evil propensities, being encouraged by the religious. Meetings against the king and the governor were held in his house. He had there a number of women, most of whom were the known mistresses of certain *doctrineros*, who had two convents very near to the house of this *mestizo* and went there for the purposes indicated, and remained shut up there. The accused, [folio 178] therefore, because of these facts and in order not to raise a case, but not from lack of devotion, said to Diego Martín that when the *doctrineros* should come to his house for this purpose, he was to tell them to go back to their convents. . . .

62. He said that he does not precisely recall the person whom the accused is said in this chapter to have summoned, but that, from the circumstances related, it may be possible that it was Cristóbal Vaca whom he called, and ordered not to enter any convent; but he never commanded him or any one else not to go into the church to hear mass, though for giving him such an order the accused had sufficient reason. For the *doctrineros* have had those provinces up in arms ever since they caused the greater part of the settlers to forswear their obedience to the king; they withdrew the settlers, with their wives and families, to the convent of Santo Domingo, where they fortified themselves, providing the convent with munitions and constructing embrasures. The religious themselves maintained a body guard and set sentries to oppose the governor and captain-general, whom they finally broke in upon with a rock, took prisoner, and beat. [Folio 179.] For this and for other offenses, many settlers whom it was possible to seize were, by *real acuerdo*, ordered executed; eight so suffered, most of them without confession. Among them was Antonio Baca, captain of the revolt, who was beheaded. He was a nephew

of Cristóbal Baca. The *doctrineros* called him and his followers protectors of religion, and those who oppose them they call royalists. This Cristóbal Baca is an infamous man who publicly permits his wife's prostitution; he takes her to some of the convents and leaves her there for months with the *doctrineros*. This he does with Fray Miguel de Guebara, who, upon the occasion referred to, caused much scandal with this woman. . . .

[He says that] he was educated to be a priest of the Company of Jesus, and to wear the ecclesiastical habit; afterward, having been a soldier in the interval, he resumed the habit from inclination and took the minor orders, with the intention of going on to major orders, if his relatives had not, for good reasons, prevented it. . . . He was an ecclesiastical judge. . . . [Folio 180. He denies having told the Indians to shoot the *doctrinero* of Isleta, who was Fray Salvador Guerra. Of this man he asserts] that he is a torturer in his treatment of the Indians. When he was *doctrinero* in the provinces of Moqui he killed an Indian by lashing him and burning him in oil, without any sort of question or doubt; and when Fray Antonio de Ybergaray went to take cognizance of the case, he contented himself with depriving Fray Salvador of what he had, and of the cloth which he gave him, for there it is considered a jest for the *doctrineros* to kill the Indians. . . .

[The defense consists of accusations against the clergy and denials of all that is asserted against his conduct toward the religious. Folio 187. Speaking of the condescension of the settlers toward the religious,] he said that there was one named Bartolomé de Ledesma to whom, as one of the most conspicuous for this defect, while he was in the provinces of Moqui, an order was sent signed by a certain Fray Velasco, in which he was directed to come to the villa and deliver his wife to him. . . .

[It turns out afterward that Mendizábal neither had nor saw the order. More accusations of scandals on the part of the religious. It is plain that there is, to say the least, much exaggeration and much malice on the part of Mendizábal. He frequently contradicts himself. There certainly were abuses on the part of the *doctrineros*, but not to the degree in which Mendizábal pictures them. The following case, for example, seems very suspicious. Folio 191.] He said that he remembers . . . that he sent soldiers as an escort to the Taos frontier, and that this was caused at the time by the religious referred to, whose name is Fray Felipe Rodríguez. For, when the accused was in the pueblo of Cochití, he received a letter from this religious, saying that he knew certainly that the Indians of that pueblo were going to revolt on account of their *alcalde mayor*, who would have to be removed from there or the religious would have to look out for the pueblo himself. He wrote other unrestrained statements, concerning which, and concerning the entire letter, the accused complained to Fray Juan de Plasencia, who was serving in the place of the vice-custodian. Fray Juan de Plasencia was present and read the letter, was much scandalized thereby, and said: "Sir, the friar is young and ignorant; I will inform Fray García, and he will remedy the matter." The accused, knowing that the Indians of this district were of very warlike disposition, because they had on a previous occasion revolted and availed themselves of the help of

the common enemy, and fearing lest they might now do so and lest the passionate religious might provoke them, sent the soldiers mentioned as an escort. This action was appropriate and timely, because if he had not done so, there would have been an uprising. For the religious did provoke the Indians; he sent two of them to the land of the heathen enemy, providing them with horses and arms and telling them to conduct themselves like men; if the *alcalde mayor* or any other person should oppose them, they were to kill him. The accused called together the Indian captains of this district to have them give an account of their trouble and its cause. They replied that they were having no trouble other than the provocation which the *doctrinero* was causing them, and that the *alcalde mayor* was not disturbing them at all.

[Folio 192.] They brought to the accused one of the Indians whom the *doctrinero* had sent to the land of the enemy. His name was Juan, and he was dressed in the Spanish garb, which the *doctrinero* had given him, along with certain arms, among which were a pike, and a saddle and bridle belonging to the *doctrinero*. This Indian told the accused all the foregoing, adding that, though he had been sent by the *doctrinero* and Fray Juan Lobato, he had not dared to go, but had hidden. The accused sent this Indian, with Bartolomé Gómez, to Fray García de San Francisco, notifying him of the case. The weapons with which the religious had armed the Indian were in the house of the accused. The letter from the religious and the one which the *alcalde mayor* had written to the accused, saying that if the escort had not been sent some misfortune would have happened, were sent to the señor viceroy by the accused with a letter. He also reported the circumstance to the commissary-general of Saint Francis. Such was the reason for [sending] the escort upon this occasion; it was not for the purpose of expelling this religious, for there was no need to do so. Even if there should be some unfortunate event, they are not removed, for they flee beforehand, and they request [the escort] for the sake of safety and companionship. . . .

79. [He mentions Fray Miguel Sacristán "who hanged himself." He continues defending himself against the accusation of having incited the Indians against the religious, but alludes to no specific case.]

[Folio 206. Against Peñalosa:] The accused says that if he had wanted what is said, and much more, the *doctrineros* would not have grudged it, for they are very prodigal of this kind of thing, even to the point of great indecorum. Specifically, it was no less a governor than Don Diego de Peñalosa, who succeeded him, to whom, because he consented to their evil deeds, and helped the *doctrineros* to do the things which they have done against the accused, they not only administered the Eucharist with the paten, and took down the missal for him, but, on a certain day, because Don Diego was going to the province of Moqui, he went to the church of the villa of Santa Fé accompanied by the other settlers to offer prayer, at which time Fray Somebody de Freitas, the *guardián*, [folio 207] . . . accompanied by Fray Salvador, other friars and the custodian of that convent himself, without proper ceremony and without saying mass, opened the ciborium to him, took out the holy sacrament and had Don

Diego de Peñalosa come up where they not only gave him the sacrament to kiss, but placed it upon his head, to the horror and scandal of all the settlers. . . .

[In the margin is the following note: Don Diego de Peñalosa; taken for his trial.]

112. The accused said that when he began to govern New Mexico, the Indians of the pueblo of Sevilleta appeared before him and complained, through their protector, Diego Romero, of the trouble which Don Juan Manso as governor had caused them, in violation of his Majesty's cedulas, which prohibit congregations and command that there shall be a minister *doctrinero* in every pueblo, or that [mass] shall be said to them where they are, without obliging the Indians to go elsewhere to hear it. It was in return for a number of sheep and a valuable horse which Fray Benito de la Natividad, *doctrinero* of El Socorro, gave him for his use, that Don Juan Manso depopulated the pueblo of Sevilleta and transferred it to El Alamillo, a deed of which he was accused in his *residencia*, as well as of having sold the site to Valencia. Having been informed that the wrongs which they did these Indians were followed by general [injury] to Las Salinas and other pueblos, because the removal of the above-mentioned pueblo had given free passage to the hostile Apaches, and had caused other serious inconveniences which were testified to by the members of the junta which Don Juan Manso himself called, the accused ordered that these Indians be returned to their pueblo, and sent a report of his action to the viceroy and the *acuerdo*.

[He mentions a Father Fray Antonio Aguado, *doctrinero* of Abó. . . . He says that the communal house in Taxique "is a long way from the church."]

[Folio 213.] In New Mexico most of the *doctrineros* were friendly with the accused and he with them, and they sometimes regaled each other, as he did for instance with Fray Antonio de Ybergarai, Fray Juan de la Ascención, Fray Joseph de Paredes, and many others. . . . The reason that these religious *doctrineros* have changed is because of a conspiracy of reports and evil rumors spread by Don Diego de Peñalosa, Fray Alonzo de Posadas, Fray Diego de Santander, Fray Salvador, and others, with whom the accused had disputes both on the road and in New Mexico. Certain settlers who were dependent upon some of these said *doctrineros* and who had been offended by acts of justice by the accused, were also responsible. . . . [There follow accusations concerning Fray Juan Ramírez especially.]

[Folio 219.] . . . that what he saw and heard in them was oaths, blows, maledictions, and commotions, and that, in order to do these things more freely Fray Juan Ramírez led the advance guard with which he and the other religious were travelling, on ahead of the rear-guard, with which the accused was, and remained so that he [the friar] might say that he was fleeing from the soldiers. . . . [Excuses, and protestations of piety. He denies the case of the Apache servant woman.]

[Folio 223. In No. 152] he said . . . that this is evidently false; for Fray Salvador de Guerra, mentioned in a part of these accusations, having

been exiled by Fray Juan Ramírez as a scandalous and sacrilegious person who had been driven out of the pueblo of Sandía, and [located] by proposal of the accused in the pueblo of Taos, wrote to the accused asking to have erected a few cells and living rooms, for those which were there were falling down, [though they had been] deemed sufficient. . . . The accused replied that the Indians would finish repairing the barracks which he had understood from reports of the *encomenderos*, Francisco Gómez and others of that pueblo, were falling to decay; he had ordered that they be repaired, because they were the chief defense of the frontier, which was the one most attacked by the enemy, and when that was done he would attend to what the friar wanted. The church had not been destroyed by the enemy nor by the Indians, but, as the accused had heard, by Fray Pedro Hortiz, because he said it was badly constructed, and a better one was to be built. This was told to the accused by Francisco Gómez, who added that there was a very good and adequate church. The accused never saw the pueblo of Taos; the occasion referred to, when they destroyed the church, burned the pueblo, and killed the *doctrinero*, was in the time of General Don Luis de Rocas, some thirty years ago, more or less. The Indian named Francisco, whom, it is said, the accused made governor, is probably not that many years old, and could hardly have had a part in the death of the religious. . . . The case referred to in this chapter, which Don Juan Manso brought against the said Indian, arose, as will appear in the process, from the fact that something over a year before [the term of] the accused the Indian was serving another *doctrinero* as governor, and they both had the same woman friend. When the *doctrinero* died, though he was well, fat, and in good spirits, Don Juan Manso judged that his death must have [folio 224] been caused by poison, which this Indian could have administered because of their rivalry over the woman, and because he danced on the day of the *doctrinero's* death. He [Governor Manso] said that because many scandalous things were found out about the said *doctrinero* and nothing against the Indian, the case was dropped, and he had the Indian marry the woman. This is what is proven in the matter, and there is nothing concerning putting on the chasuble, as supposed, according to the records of the case. As to the accused's having made this Indian governor, it was because he was fitted for the place, for which reason the accused's successor, Don Diego de Peñalosa, upon request of the *doctrineros*, appointed him to the same office. . . .

[In No. 153] . . . the accused said . . . that he was never in the pueblo of Los Humanas. . . . [Folio 229. He relates a case of a *mestizo*, named Ramírez, who took lands away from the Indians of Isleta, a matter of small importance, but the *mestizo* was insolent. This *mestizo* was in the escort] in Los Hemes, where he had trouble with Fray Blas de Herrera. . . . [The case of the *catzinas* follows. Folio 230. He does not remember whether he gave permission to the Indians of Isleta and Tesuque to dance the *catzinas*. His defense is interesting and even impressive.]

. . . He will say that the dance contains nothing of superstition, and the *doctrineros*, whenever they have need of an entire pueblo for the tasks connected with their gainful occupations, have the Indians dance it. In the

residencia of the accused this charge was brought against him, and he was acquitted of it by the royal *audencia*, and it was ordered that in future the *doctrineros* should report what there was bad about this dance. Thus he replies.

The accused said that he never knew that this dance was prohibited because it was bad, nor for any other reason, and that the Indians of those parts customarily ask permission to dance it; they are ordered to dance it in public where they may be seen, and not in their *estufas* so that they may not observe any superstitious practices. The accused knew, [folio 231] as he has said, that the ministers had this dance performed whenever it suited their own convenience. . . . [He attributes the charges against him to the enmity of Fray Alonzo de Posadas.] The command to report if there was anything evil in the dance was tantamount to saying that it should not be prohibited without this having been done; for he knows that often the *doctrineros* in those parts, even the just and honest ones, attempt to forbid the Indians, whom they regard as slaves, [to do certain things]. The accused has already said that he knew neither that this dance was bad nor that it was prohibited, but he did know that it had been danced before, and that even the Spaniards danced it in the time when Don Luis de Rocas was governor, in the plaza of the villa of Santa Fé; and that afterwards, when he was accused of having permitted the dance, he did not forbid it, nor could he, because he was not [then] governor; nor would he have raised the question in any case, but on the contrary he would have prohibited any person from saying that this dance was bad or could be bad. . . . [He says that the statements made about the *catzinas* in charges number 177 and 178] he knows to be false because of what he has already said, namely that the religious cause them to be danced, and if there had been anything to the contrary the accused would have known it. . . .

[Folio 233. Reply to No. 180.] . . . that he never knew . . . nor was he told by the person referred to or by anyone else, about the things said in this chapter to have been in the council-chamber . . . nor was his attention called, as is said, by the *guardián* of Sandía, to this or to any other impropriety. On the other hand, when the accused was in this pueblo and had dined with Fray Miguel de Guebara, the *doctrinero*, the accused said to him: "Father, what is there bad about this dance of the *catzinas*, for I have seen it, and it is only an evidence of a lightsome disposition?" The father responded: "It may be bad, Sir." To which the accused replied: "Well, why has your reverence permitted it to be danced?" He denied this, whereupon the accused called some Indians of the pueblo, and they told him through the interpreter of the said religious that it was true, and they named custodians and religious before whom and by whose orders they had danced it. . . . [He always says that he has seen nothing bad in the *catzinas*. He did not see the dances which were performed in secret.] He said that when the governor arrives at a pueblo and conducts his visitation, the Indians ask through an interpreter for permission to dance; the accused used to tell them to dance, provided it was in the public plaza and not within their council-chambers, lest they might engage in some evil practice or dance therein. He added that the permission is general, and

not for a specific dance, for he does not know the dances which they dance. . . .

[Folio 236.] . . . The accused does not know the particular features of the dance of the *catzinas*; he does not know because the license was asked for in the pueblo named, and he judges that it must be the most popular dance of the Indians, because it is so noisy. Not only do the Indians participate in it, but others who are not Indians endeavor to win prizes. . . . He was told that, inasmuch as this was the favorite dance of the Indians, they should not be refused general permission to dance it, but should be allowed to perform it as well as other dances. What he asks is why did they request special permission to perform this dance? For, if it was included in the general permission, they already had it; and if it was not included, some note should be taken of the reason why it was not.

He said that the Indians of those provinces are of most diverse nations and tongues, and each one dances according to his custom; they do not all dance the *catzinas* generally. He has already said that he did not know why his permission should have been asked especially for the pueblo of Tesuque unless it was for the dance of the *catzinas*, because this was the dance of that pueblo, which the accused had not visited before or since. . . .

[Folio 237. No. 181. Reply.] He said that it is false that the accused summoned the Indians of all the pueblos of his territory or of a single pueblo; as he has said, the Indians of the pueblo of Tesuque came to the villa of Santa Fé and, as he remembers, with them came their *encomendero*, Francisco Gómez, and Juan Griego as interpreter. Among other things they asked permission to dance the *catzinas*. The accused asked what dance this was. The *encomendero* having replied, as he recalls, as well as the interpreter and others present, concerning the nature of the dance, stating that it was simply an exhibition of agility, the accused wanted to see it, desiring also that the *guardián* of the villa, Fray Diego Rodríguez, who administered the Indians, should see it. In order that he might do so, the accused sent Toribio de la Huerta to call him. The latter returned, saying that the friar, Diego Rodríguez, was finishing his prayers, or some other employment. The accused, seeing that it was late and that the Indians had to return to their pueblo, told them to dance. They did so after this fashion: Ten or twelve Indians dressed themselves in the ordinary clothes which they commonly wear and put on masks painted with human figures of men; then half of them, with timbrels, such as are commonly used in New Spain, in their hands, went out to the plaza. The others carried thongs, or whips, in their hands. They placed in the middle of the plaza four or six watermelons; the accused does not remember whether they brought them, or whether they took them from those which they had brought to him and which he had there in the living-room of his house. After putting the watermelons in the middle of the plaza, those who were dancing continued to do so noisily, sounding the timbrels crazily, as they are accustomed to do, and saying, "Hu, hu, hu." In this fashion they circled around the plaza and the other Indians with the thongs went along, leaping, watching the watermelons, or prizes, from a distance, and allowing opportunity for other youths and boys, Indians or others, to slip in and

snatch the watermelons. The one who did so they chased, and if they caught him they gave him many blows with the thongs, but if they did not catch him, he, being more fleet of foot, carried off the watermelon without receiving any lashes. When several had thus run away the dance stopped, and it contained no other feature. The accused asked them, having noticed that the response, or echo, given by the Indians who were dancing contained no distinguishable word, whether any of it signified or meant [folio 238] anything. The interpreter and the others who knew the language of these Indians said that it meant nothing. To the accused it seemed mere foolishness on the part of the Indians, and an entertainment which proved their fleetness of foot. When they had finished dancing as has been described, and it was very short, Fray Diego Rodríguez came in great haste, saying, "Lord," and beginning to pray; then: "Let us see this dance." The accused said to him: "You must have been idling, father; the dance is over, and the Indians have gone back to their pueblo." This is what happened. . . .

182. It seemed to the accused a pleasurable entertainment, on account of the races and the lashings, to be sure. . . . [Folio 239.] . . . He only remembers one Indian of the pueblo of Sandía, whose little house, which he had built near his pueblo in spite of the command mentioned, the *doctrinero* of the pueblo, Fray Miguel de Guebara, burned with his own hands. . . . 187. . . . What he remembers is that this Indian, when he left off staying with the *doctrinero* of Taxique, went to live about a league away, more or less, between the pueblos of Taxique and Cuarac, in the house of Joseph Nieto, a man who administers ordinary justice there. The accused remembers that the *doctrinero* of Cuarac, Fray Somebody de Freitas, wrote to this man that neither he nor his family went to mass. The accused called Joseph Nieto to him and chided him, and he proved that the friar was wrong. . . . [Folio 240.] Diego de Trujillo [was] a capital enemy of the accused, although the latter named him *alcalde mayor* of the Moquis, Don Juan Manso having removed him from there for good cause. . . .

[Folio 243. As to the matter of his barber in New Mexico,] it was usual for him to be shaved on Sunday mornings just before the hour to hear mass. So true is this statement that, on the morning of the day mentioned, the accused was passing from his room to the office where the barber was awaiting him, when the *cabildo* members and other settlers who were waiting to accompany him to mass said good morning to him. The barber who usually shaved him in New Mexico was Juan de la Vega, who is now in this city.

[Folio 244.] The accused slept with his wife in a room apart from the household; he has always done this, as was proper. . . . The women-servants slept in a room a little farther in, with the door open, and, being women, they came in and out as they liked, when necessary, even when the accused and his wife were in the bed. The men-servants were ordered that upon coming to the room, they should speak from the doorway and not come in, for the wife might be undressed in bed or risen and in her under-clothing; this was simply out of regard for modesty and decency. . . .

[Folio 246.] . . . The accused never had any religious ceremonies in his house, and only two representations of the Christ. One of these was on an altar in his wife's drawing-room, under a canopy so high that a ladder was required to reach up to clean it. The other statue was under a canopy at the head of his bed, where it was more accessible. . . . [Folio 247. He always mentions as his] chief enemies . . . his successor Don Diego de Peñalosa, Fray Alonzo de Posadas, and other *doctrineros*. . . . [Speaking of a picture of St. Michael, he asserts that] as a matter of special devotion he had an Indian paint it and ordered Manuel de Noriega to assist him. As there was no copy available, and [no guide save] the idea of the Indian, it was possible that, as the work of such a hand, and on such material as a piece of leather, the figure should come out rather imperfect, and the accused may have said as much, but not by way of derision or jest, as is attributed to him. . . .

[Folio 248.] He said that he had always praised the chapels, or churches, which are in that country, which, in fact, are not remarkable, nor did he see any particular painting or figure or image which especially attracted his attention. . . .

[Folio 253. He confesses having had carnal intercourse with Ana Rodríguez, and Gerónima, the wife of Francisco de Anaya.]

[Folio 254.] The accused said that it is true that he once knew carnally the *mestiza*, Teresa, but this was not a crime, nor cause for judicial trial; nor was it necessary for a *mestiza* or an Indian woman to appeal to a judge. It is also true that he knew carnally Petrona de Gamboa four or five times, and that she herself gave occasion for it. [He also confesses the other case with a woman, which occurred on a farm and not in the palace at Santa Fé.]

[Folio 255. He had disagreements with Tomás Domínguez de Mendoza. There follow accusations against the religious. See folio 257, which speaks of a report which he made to the commissary of Saint Francis.] All that he says in the report, the accused, availing himself of his just right, [swears to be true] as is what he said in his letter to the commissary, to which he pledges his life, fortune, and honor. This and more he would have made manifest and proved, concerning which, for sake of modesty, he had in all circumstances kept silence. And to say that Fray Fernando de Velasco did not know Latin is the unmistakable truth; and there are others, if it be necessary to name them, who never studied it in their lives. The accused knew them as sailors, artillerymen, and men of ill-repute, engaged in evil pursuits; they took the habit in order to go to the provinces of New Mexico. They served no novitiate, and were without religion, which they did not understand, but [took orders] only to avoid work and live with greater liberty than in worldly pursuits. . . . [He becomes more and more violent against the *doctrineros*, especially Fray Fernando de Velasco, Fray Juan Ramírez, (folio 259) and also against Fray Alonzo de Posadas, and Diego de Peñalosa. Folio 262. He says that the settlers of New Mexico urged him to escape from prison,] not in order to escape the Holy Office, but the vexations and evil deeds which Don Diego de Peñalosa [folio 263] committed against the accused at the instigation of Fray

Alonzo de Posadas and other *doctrineros*. . . . [He adds] that Don Diego de Peñalosa, having been notified by the custodian, Fray Salvador Notorio[?], and Fray Nicolás de Fleytas of the receipt of the commission from this Holy Office for the arrest of the accused, offered the latter his services, saying that he would give him an escort and other things which Fray Alonzo de Posadas suggested, so that he might flee. . . .

[Accusations against Peñalosa and Fray Alonzo de Posadas. He says concerning Fray Nicolás de Fleitas (folio 265) that he came to the prison to provoke him] and the accused sent to call the custodian, and asked him not to permit that friar to enter there; the custodian replied that he did not know what to do because the said Fray Nicolás de Fleytas lived and ate with the governor, against the will of Fray Alonzo de Posadas. The said commissary so feared this religious that in order to draw up the *autos* concerning the accused, and to take his depositions, the said commissary did so without the knowledge of Fray Nicolás de Fleitas, setting spies to see when he was coming, for he entered whenever he liked while these papers were being drawn up. Fray Alonzo de Posadas said to the accused [folio 266] that he was sent by Don Diego de Peñalosa to find out what these papers contained, and whether they said anything against him. Being thus fearful, Fray Alonzo de Posadas said: "Let us do quickly as much as we can before Fleitas comes. . . ."

[Folio 271. He complains much of the treatment which they gave him in the convent of Santo Domingo, where they tried to kill him in a cell having no light and a very narrow door. He was ill] and Fray Juan de Plasencia came and spoke very evil words to the accused, bringing some Indians, and saying: "Put this beast in the stable." The accused said to Don Juan Manso: "How can you permit this, when you are the *alguacil mayor*?" He was put into a little room which was not even large enough or decent enough for a good-sized pig; of this he complained to the custodian when he came, and the latter had a small hole cut open for him above, so that a little light could enter. . . . [Folio 271. They had put chains on him and a ring on his foot, of which he complained, because he suffered from the gout. This bad treatment he attributes to Peñalosa and to some of the religious, who were his enemies.]

[Folio 273.] The accused said that it is true that when he saw that the commissary, Fray Alonzo de Posadas, was having him taken through the main doorway at about midday to the public plaza, in order to shame him there where there were a great many people, both Spaniards and Indians, he sent to ask Fray Felipe to bring up the wagon, or cart, in which they were to take him, to the false door which was near the entrance of the prison, but he replied that he would not do it. . . . [There follows a somewhat piquant conversation with Fray Alonzo de Posadas. Folio 277. He indicates Don Juan Manso also as one of his enemies. He was told] that he might reply on the third day and make his just defense against these accusations as he might see fit after advice from one of the counsellors who assist persons who have cases before this Holy Office; the counsellors are the *licenciado*, Don Joseph de Cabrera, and Doctor Alonzo Alberto, and he may choose whichever one he will.

[The hearing was ended in March, 1664, Mendizábal then being very ill. He died in the prison on September 16, 1664. Folio 294.]

[Folio 301. Account of expenses: Total, 1,277 pesos, 4 *reales*. He was absolved. Folio 309. On April 16, 1671, the Inquisitors] said that they agreed, and that it was their vote and opinion that the memory of Don Bernardo López de Mendizábal should be absolved from the odium of the judgment, and that it should be declared and ordered that his body be exhumed and his bones taken from the place in which they are and given ecclesiastical burial. It was also ordered that the attachment embargo should be removed from the effects, and that, after payment of whatever costs there might be, the remainder of the estate of Don Bernardo López de Mendizábal should be delivered to whoever might be his legal representative and heirs, according to the sealed will which he had drawn up before a notary. . . .

[On the margin of folio 310 there is the following note, in the same hand as that of the *autos*.] On October 31, 1691, in execution of the *auto* of the tribunal dated on the 13th of the same month and year, which is among the *autos* in which the *maestre de campo*, Thomé Domínguez, asked, in the name of Don Diego de Peñalosa, that the goods which had been placed under embargo by Fray Alonzo de Posadas should be turned over to him, certification of this sentence was given for the said *autos*. [I do not understand this.] ⁷⁴

*Testimonies taken at the request of the señor fiscal against Don Juan Manso, a resident of New Mexico.*⁷⁵ [Documents dated October 26, 1661-July 9, 1674]

[FOLIO 510.] ACCUSATION BY DOCTOR RODRIGO RUÍZ DE CEPEDA, FISCAL OF THE HOLY OFFICE. [PRESENTED POST APRIL 14, 1663]

I declare that by means of the publication of the edicts of the faith made in New Mexico there were obtained testimonies against various persons. Among them is that against General Don Juan Manso; it is based upon hearsay but concerns matters which have an official nature, and, concerning them also, according to what I have been informed, there are other witnesses who attest among those who have been examined in the proceedings against Don Bernardo López de Mendizábal. And in order that suitable [proceedings] may be initiated against the said Don Juan Manso your lordship must be pleased to order that both be copied and that the said things be attested.

I ask and beg that your lordship may be pleased to order the said proceedings to be initiated and the said matters attested, for [this being] done, I will then petition what is fitting with justice, and whatever may be necessary, etc.—

⁷⁴ Ad. F. B., Mexico, June 21, 1912.

⁷⁵ A. G. M., Inquisición, vol. 502. The Bandelier extracts for this case were incomplete. Additional materials have been added from transcripts in the collection of F. V. Scholes.

LETTER TO THE TRIBUNAL FROM FRAY NICOLÁS DE FREITAS, OCTOBER 4, 1662, NEW MEXICO. [RECEIVED IN THE HOLY OFFICE, MARCH 1, 1663]

[Folio 511.] About the end of the month of January of the past year, 1662, I was in this city and in the audience room of your lordship engaged in business relative to the service of both Majesties. . . . I do not do this [make declaration] before your lordship's father commissary, because the person of whom I wish to speak professes intimate friendship with his reverence, due to love of his country; and although I do not deem that this fact would prevent the proper action of such an upright official, nevertheless, I desired, because it appeared best to me, to communicate to your lordship the following: [Here follows the case of the consecrated bread given to Manso by Fray Miguel Sacristán. (This Freitas knew by common report.) When this letter was written Father Sacristán had already committed suicide.]

[FOLIO 513.] LETTER OF THE CUSTODIAN, FRAY ALONZO DE POSADAS, TO THE TRIBUNAL, LA TOMA DEL RÍO DEL NORTE, NOVEMBER 25, 1662. [RECEIVED IN THE HOLY OFFICE, APRIL 14, 1663]

. . . The said General Don Juan Manso came to me one night, it being that of Friday before Palm Sunday; while we were together talking, he said: "I have been told that some persons have said that Father Fray Miguel Sacristán had given me a portion of consecrated bread, but that is a lie." Speaking to him about the matter, I asked: "What was that attack, or illness, that you told me about in which it seemed to you that you saw your dead wife?" To this he replied that it was true that he had had some hallucinations in which it seemed to him that he saw his brother, the bishop, but he denied the story of the consecrated bread. [Manso resigned his position as *alguacil* of the Inquisition. The letter also deals with the double baptism, and with the illicit relations of Manso with a certain Doña Margarita. (See the first *cuaderno* concerning Mendizábal.) All that is composed of declarations of Fray Alonso de Posadas.]

[FOLIO 515.] LETTER OF THE CUSTODIAN, FRAY ALONZO DE POSADAS, TO THE TRIBUNAL, SANTO DOMINGO, DECEMBER 11, 1661

. . . Father Fray Nicolás de Cháves, who is the bearer of this [letter] said to me, that Father Fray Miguel Sacristán had, upon the occasion of his visit to the pueblo of San Marcos, called La Ciénega, officiated at an interment. . . . [This interment was that of the doll (figurine) and Manso said that] it was a true burial, "For look you, why should he have asked for pay, if what he buried was nothing but a lot of rags?"

[FOLIO 517.] DEPOSITION OF TORIBIO DE LA HUERTA, MEXICO, JULY 6, 1663

[He recounts the double baptism, as a witness, and says] that Father Fray Miguel Sacristán, who at the time was *guardián* of the convent (of Santa Fé) afterwards hanged himself in the convent of Los Emes. [He testifies that Manso had illicit relations with the wife of Gerónimo de Carbajal.]

[FOLIO 519.] DECLARATION OF DIEGO DE MERGAREJO,
SANTA FÉ, OCTOBER 26, 1661

[Father Nicolás de Freitas was then *guardián* of Santa Fé.]

[FOLIO 523.] DECLARATION OF CAPTAIN JUAN ESTEBAN DE FAGOAGA,
SANDÍA, APRIL 8, 1662

[Age, fifty-five years, a native of the Valle de Ogarón, Vizcaya.] He said that this father had given a portion of consecrated bread to General Don Juan Manso. . . .

[Folio 524.] Fagoaga lived twelve leagues from Santo Domingo, on a farm called Santiago. He was dying when Fray Alonzo de Posadas came to administer to him the sacraments, in company with Captain Alonzo Baca and Francisco de Ortega, both confidential friends. All the testimony centers about the question of the Host.]

DECLARATION OF FRANCISCO GÓMEZ ROBLEDO, MEXICO, MAY 4, 1663

[Age, thirty-three years; a native of Santa Fé. Fray Miguel Sacristán hanged himself] on the eve of the feast of Corpus, 1661, in his convent.

DECLARATION OF DIEGO ROMERO, MEXICO, MAY 5, 1663

[Folio 527.] He had also heard said in New Mexico that Fray Miguel Sacristán, a religious of the Order of Saint Francis and *guardián* of the convent of San Diego de los Emes, gave to Don Juan Manso, the governor, the Sacrament in a box, which the latter carried in his bosom. Upon the occasion when Fray Alonzo de Posadas went to New Mexico as custodian, Fray Miguel Sacristán went out on the road to meet him, and when they were going along together, Fray Miguel Sacristán said to the custodian that he (the custodian) was a dissembling friar to come bearing a commission from the Holy Office. When Fray Alonzo reached Santo Domingo he commended to the *guardián* there the cure and guarding of Fray Miguel, for he appeared to be insane; after two or three days had passed, Fray Miguel hanged himself. . . . [According to this, the suicide took place in Santo Domingo, and not in Jémez. The declaration of Doña Teresa de Aguilera y Rocha, which follows, offers nothing of importance. It concerns the double baptism and other scandals already noted.] ⁷⁶

STATEMENT OF DOCTOR DON ALONZO DE CEBALLOS Y VILLAGUTIÉRREZ IN
THE SECRETO OF THE HOLY OFFICE, JULY 7, 1674

I have seen the above writing of Doctor Rodrigo Ruíz de Cepeda who held office as *fiscal*, and reproducing what he says I ask and beg that your lordship may be pleased to order what is fitting in accordance with what he says. I ask justice, etc.

⁷⁶ Ad. F. B., Mexico, July 24, 1912.

STATEMENT OF THE INQUISITORS, DON JUAN DE ORTEGA MONTAÑES AND
DON MARTÍN DE SOTO GUZMÁN, JULY 9, 1674

Inasmuch as it is well known that Don Juan Manso died in Querétaro from a fall from a mule, let these *autos* be returned with this information to the señor *fiscal*, in order that he may, with knowledge thereof, request that which is fitting.

NOTE ON THE TITLE PAGE OF THE EXPEDIENTE. [NO DATE]

It is not necessary to proceed in this case, since the accused has died.

*Papers sent from New Mexico concerning the unhappy incident of the death of Fray Miguel Sacristán of the Order of Saint Francis, who hanged himself.*⁷⁷ [1661–December 5, 1662]

[FOLIO 492.] AUTO OF ACCUSATION. BY DOCTOR DON RODRIGO RUÍZ DE CEPEDA

The letter and report which the commissary of New Mexico sent concerning the unhappy occurrence of the desperate death of Fray Miguel Sacristán, against whom there are also certain [other] accusations, namely, that, for the sake of a friend of his, he twice celebrated the holy sacrament of baptism; that he took from a sacristy [ciborium] some consecrated bread and gave it to this friend to carry as a remedy for certain fears from which he was suffering, and that he, Fray Miguel, buried a doll with ecclesiastical funeral pomp such as is observed in burial of infants. These are accusations which ought to be investigated in order to determine whether they are of such character that process should be brought, even if it injure the fame and memory of this religious. It should also be established whether or not the commissary committed an act worthy of censure in conceding him ecclesiastical sepulture, for it would seem that he ought not to have granted it to Fray Miguel Sacristán because of his desperate manner of death, for by that act he proved the accusations made.

[FOLIO 493.] LETTER OF FRAY ALONZO DE POSADAS, DECEMBER 5, 1661

[Concerning the suicide, he intimates] that Don Bernardo must have caused him a great deal of trouble, as indeed he did. They say that Don Bernardo said that the first person who should be sent to the Inquisition was Father Fray Miguel Sacristán. [This letter is addressed to] the most illustrious señor [of the] holy and upright tribunal of the Inquisition. [He was a doctor, and bishop-elect of Cuba; the name is illegible.]

⁷⁷ A. G. M., Inquisición, vol. 594. The excerpts from the documents relating to this subject, together with Dr. Bandelier's bracketed explanatory remarks, that herein are printed, are very brief and leave some points in doubt. While refraining from taking liberties with Dr. Bandelier's excerpts, and, in particular, with his remarks, at the same time attention is directed to a transcript of the relatively lengthy and complete *expediente* of documents dealing with this case which is in the Scholes Collection.

[The pagination is very defective. From the second letter of Father Posadas, dated December 4, 1662, I take the following:]

I entered the first pueblo of this *custodia*, called Senecú, on Friday, the twenty-ninth of April, of the present year; I stayed there until I was given the seals of this *custodia*, which was done on Wednesday, May 11. On the following Thursday I was in the cell of my predecessor, Fray García de San Francisco, there being also present the father *definidor*, Fray Benito de la Natividad, and Father Fray Nicolás de Chaves. . . . On Friday, May 27, I received a letter from Father Fray Miguel Sacristán in which he told me that he had collected all the masks from the pueblo of Los Emes where he was *guardián*, and asking permission to come to visit me. At the same time the Indians would bring [folio 495] these masks and other articles with which they celebrated their dances. I sent him permission and he came to the pueblo of La Isleta. . . . He came in, and the Indians who entered with him brought a number of masks and other things, including two figures like those of dragons, which the Indians used in their dances. I saw that the figures were very ugly indeed and very much like the representations of the devil. I put a few of the many which had been collected on a stand in the cell, and, looking at Father Fray Miguel Sacristán face to face, it seemed to me that his countenance also had the semblance and likeness of the masks, and Father Fray Nicolás de Chaves said . . . to Father Fray Miguel: "Your reverence looks just like these masks. . . ."

[They set out for Sandía on June 3, and passed through the farm of Pedro de Chaves on the way to Alonzo García's farm. Fernando de Chaves said, speaking of Mendizábal, who was still governor:] "Father, we shall live to see the punishment of this man who has done so much evil. . . ." [Arriving at the pueblo of El Alamillo, he there received an order from Mendizábal, an order from the king, and one [letter] containing two complaints against two religious, one of these being against the lay brother, Fray Luis Martínez. Folio 496. A long conversation with Father Sacristán concerning his crimes and the case of the baptism of Don Juan Manso. Folio 497. In Santo Domingo Father Fray Juan de Placencia was serving as *doctrinero*. According to the marginal notes, there was a process before the Inquisition against Don Juan Manso. Folio 500. On the tenth of June Father Posadas went to see the body of the suicide. Accusations and insinuations against Mendizábal. Folio 502.] Don Juan Manso had illicit intercourse with a woman named Doña Margarita Márquez, who was married, as I have said, to Gerónimo de Carbajal; while Gerónimo de Carbajal was absent, his wife gave birth to a child which they said, or supposed, was the son of Don Juan Manso. . . . The pretended dead body was disposed of, and Fray Miguel Sacristán . . . sent word to the mother of Doña Margarita. [Hence the friendship with Manso. The boy was then living in the City of Mexico with his father, Juan Manso.]

[Folios 502 to 504 inclusive, concerning whether Father Sacristán administered the Host to Don Juan Manso. The depositions were taken in 1661 in the convent of the Immaculate Conception of the villa of Santa Fé. Folio 505. The *sargento mayor*, Diego Romero, testified, on

March 9, 1662, that he was thirty-six years old, and that he knew of the incident of the Host. Folio 507. Declaration of Juan Estevan Faguaga, aged fifty-five years. He made it on April 3, 1662.] He said that Father Fray Miguel Sacristán, speaking on friendly terms with the deponent, said to him that once when he was coming from Santo Domingo to the villa of Santa Fé he arrived at the farm of Doña Bernardina Vásquez, named La Casa de los Cerrillos. There he baptized an infant daughter of Gerónimo de Carvajal and Doña Margarita Márquez. Afterward, in the villa of Santa Fé, he again baptized the same infant. . . . [It was for this act, which Manso induced Father Sacristán to commit, it is insinuated, that the latter took his own life. He said to Faguaga] that his friendship for Don Juan was going to cost him his life, for he had deprived him of his honor. . . . [Folio 508. Captain Faguaga resided in the jurisdiction of Sandía. Folio 509. Diego Romero appeared before the Inquisition in Mexico. He was a native of Santa Fé; in 1663 he was forty years old. He said that he had served the king in New Mexico in a number of actions. He said also that Fray Miguel Sacristán was *guardián* of the convent of San Diego de los Emes, and that he appeared to be insane. Romero was arrested for heresy, and his goods were sequestrated. There is also a deposition by Doña Teresa, the wife of Mendizábal (1663). She was a native of Alexandria.] ⁷⁸

*Case against Don Diego Dionisio de Peñalosa Briceño y Verdugo,*⁷⁹ *former governor of New Mexico, for blasphemy, impeding the jurisdiction of the Holy Office, and other crimes.*⁸⁰ [Documents dated May 24, 1662–February 3, 1668]

AUTO OF ACCUSATION. PRESENTED JUNE 16, 1665

I denounce and bring criminal complaint against Don Diego Dionisio de Peñalosa Briceño, who resides in this city, and I say that . . . he has committed very serious crimes, both as usurper of the jurisdiction of this Holy Office, and in having obliged certain witnesses who had been examined in matters and cases concerning the faith to reveal to him what they had testified before the commissary; he has also impeded the proper use and exercise of the latter's jurisdiction by formally opposing the bull *Si de Protegendis*; and, because of the assistance which he attempted to give in cases before the Inquisition, he is suspected of infidelity; he has also said certain things which are very near to being [proof of] the error of infidelity; and he has been a petulant and proud traducer of this Tribunal and of its ministers. . . .

[FOLIO 2.] DECLARATION OF DON BERNARDO LÓPEZ DE MENDIZÁBAL,
MEXICO, APRIL 28, 1663

And that he was taken prisoner in New Mexico by Fray Alonzo de Posadas, commissary of the Holy Office, in August of the past year,

⁷⁸ Ad. F. B., Mexico, June 25, 1912.

⁷⁹ See note 54, *supra*.

⁸⁰ A. G. M., Inquisición, vol. 507.

1662. . . . [He accuses Peñalosa of having] obstructed the proper and free exercise of [jurisdiction by] the Holy Office. Apparently Don Diego de Peñalosa, now governor of New Mexico, did so in the case of this declarant, for, having information of what this Tribunal had ordered for the purpose of arresting this declarant and attaching his goods, he not only tried to sell them, which would have complicated the execution of the decree, but, seeing that the declarant would not agree to this . . . on the very day of the arrest of this declarant, he did, two or three hours before the arrest, take the declarant out of his house, where he was holding him prisoner, and send him to the house of the *maestre de campo*, Pedro Lucero, and had him put into one of the rooms of that house under guard. After this was done, Don Diego de Peñalosa went to the house of this declarant with men, and sacked the said house. . . . [See the case against Mendizábal. He testifies that Peñalosa spoke very ill of the religious and of the Tribunal.]

[Folio 6. He repeats the following:] And this defendant [Peñalosa] desired that mass be administered to him within the confines of his government with the paten with which the priest celebrated the eucharist, whereas it was given to him with the customary insignia, or cross; he also desired that the missal should be brought to him to be kissed after the gospel. . . . [He repeats his accusations against the religious, and avers that Peñalosa] connived at their evil deeds, and encouraged those [deeds] which these teachers of the doctrine have committed against this declarant. . . . [He confirms his statement, saying that Peñalosa went to Moqui, and that the *guardián* of Santa Fé placed the sacrament on Peñalosa's head. This *guardián* was Fray Nicolás de Freitas. Mendizábal continues attacking the religious, instead of accusing Peñalosa, and offers defense in his own case.]

[The pretended expedition to Quivira is a fabrication. He says, on folio 12:] That this declarant never assumed or knew anything [concerning] his imprisonment other than what Don Diego de Peñalosa said, on the day of the feast of San Bartolomé, to the wife of the declarant in the church, which statement this declarant did not believe. [This was in 1662, hence on the twenty-fourth day of August of that year Peñalosa was in Santa Fé, and could not have been on the plains of the north.] ⁸¹

TESTIMONY OF DON JUAN MANSO, JUNE 19, 1663

He said that . . . when he [this witness] was in the villa of Santa Fé, capital of the provinces of New Mexico, it seems to him during August of the past year, Fray Alonzo de Posadas, the custodian . . . and Fray Salvador de Guerra told him, as they were talking on matters concerning the imprisonments that they had been making . . . of the governor of

⁸¹ For a discussion of this alleged, but now disproved, expedition of Peñalosa to La Quivira in 1662, see Hackett, "New Light on Don Diego de Peñalosa: Proof that he never made an Expedition from Santa Fé to Quivira and the Mississippi River in 1662," *loc. cit.*, pp. 313-335. Consult also, A. B. Thomas, *After Coronado: Spanish Exploration Northeast of New Mexico, 1696-1727* (Norman, 1935), p. 11, note 22.

New Mexico, who at present is Don Diego de Peñalosa. . . . [This also proves that Peñalosa was in Santa Fé during the period in which they credit him with the journey to Quivira.]

DECLARATION OF JUAN DOMÍNGUEZ DE MENDOZA, MEXICO, JUNE 20, 1663

[Age, thirty-four years. Resident of the jurisdiction of La Isleta; at present in Mexico.] He also declares that the said Fray Salvador de Guerra, who is at present exercising the office of *doctrinero* in the pueblo of Los Hemes, did, some eleven years ago, a little more or less, when he was *doctrinero* in the provinces of Moqui, order an Indian beaten, after which he poured turpentine upon him, and set it on fire. The Indian got up, and, desiring to go by a certain road where there is a tank of water, to throw himself into it, took another [the wrong] road, which leads to the villa of Santa Fé. Fray Salvador de Guerra mounted a horse, thinking that the Indian was going to complain to the government, and followed him, and rode over him with the horse until he killed him. To-day he is administering as a parish priest, in spite of the foregoing. The witness tells this because it seems to be a matter which concerns this Holy Office. Fray Juan Ramírez, of the Order of Señor Saint Francis, who has just come with the wagons from that kingdom,⁸² told this witness two months ago, a little more or less, that he [Ramírez] later had entered New Mexico as *custodio* and had verified the case, and had the papers concerning it in his possession. . . . He also imputed other evil customs and deeds to Fray Salvador, as for instance that he notoriously lived in concubinage. . . . [The remainder of the declaration is nothing but exculpation of Mendizábal and testimony against the religious.]

DECLARATION OF TORIBIO DE LA HUERTA, MEXICO, JULY 6, 1663

[A resident of New Mexico for a period of ten years.] He said that ten months ago, a little more or less, Don Diego de Peñalosa Briceño y Verdugo, the governor of New Mexico, was holding this witness a prisoner in the villa of Santa Fé in the public jail. . . . [At the same time *Alférez* Diego de Apodaca of Las Salinas was a prisoner in the same jail. He declares against Don Juan Manso, also mentioning Fray Miguel Sacristán, etc.]

DECLARATION OF DIEGO ROMERO, MEXICO, MAY 5, 1663

[He was a prisoner in the secret prisons. A native of Santa Fé, forty years of age.] He also declares that Governor Don Diego de Peñalosa, on the first day of May of last year, 1662, being in the town of Isleta in the

⁸² It was the policy of the Spanish crown about the time of the above-dated document "to grant every three years, for the support of the religious order in New Mexico, the sum of 61,440 *pesos*, paid at his command by the Real Hacienda of Mexico." For example, "in 1676 Father Ayeta went to Mexico City to collect this triennial gift, which he planned to transport to New Mexico in twenty-five wagons." Hackett, "The Revolt of the Pueblo Indians of New Mexico in 1680," *loc. cit.*, p. 147. See also, Scholes, "The Supply Service of the New Mexican Missions in the Seventeenth Century," *loc. cit.*

refectory of the friars . . . together with this witness, Fray Miguel de Guevara, Fray Diego de Parraga, the *guardián* of that convent, *Maestre de Campo* Thomé Domínguez, Captain Andrés López, Don Fernando de Chaves, Captain Miguel de Noriega, Captain Juan Domínguez, and many others. . . .

SENTENCE AGAINST DIEGO ROMERO, JANUARY 23, 1664

. . . it was voted that this defendant should be brought forth in a public *auto de fe* in the habit of a penitent, wearing a penitential garment and a rope about his neck; that he confess in due form, suffer the loss of his goods, and be condemned to four years at the oar on the galleys of Terrenate with pay; that the penitential garment be removed as soon as the Tribunal should return from the *auto*, and that he be most severely reprehended.

DECLARATION OF CRISTÓBAL DE ANAYA, MEXICO, APRIL 26, 1663

[He is] a native of the villa of Santa Fé in New Mexico, and a resident of the jurisdiction of Sandía, fourteen leagues this side of the villa of Santa Fé; he is thirty-eight years of age, a little more or less; his business has been that of serving the king, our lord, in the wars of the kingdom of New Mexico against infidels, since he was eleven years old until the present; he has been corporal of a squadron and *alférez real*; later, he was a *visitador*, and then a captain, a position which he held in the militia. . . . [He was also a defendant and prisoner in the secret prisons, for offenses against the religious.]

TESTIMONY OF RODRIGO RUBÍN, AUGUST 3, 1663

He also declares that about that time the said governor, Don Diego de Peñalosa, was one night in the royal house playing cards with a religious, named Somebody Fleytas [Freitas], who is chaplain to the governor.

TESTIMONY OF FRANCISCO DE LEÓN, SEPTEMBER 3, 1663

[He says that he was in Santa Fé in the year 1662, and that Peñalosa induced him to reveal what he had heard of the declaration of a mulatto woman who had made a deposition concerning Mendizábal.]

DEPOSITION OF TERESA AGUILERA ROCHE, WIFE OF MENDIZÁBAL,
OCTOBER 5, 1663

. . . She also declares . . . that Don Diego de Peñalosa talked to her in the church; that he said first to this declarant that upon payment of one thousand pesos to be given to Don Juan Manso her persecutions would cease and he would desist from them. He counseled her that her husband, Don Bernardo López, ought to flee as he had told him from the first, so that the friars might not arrest him. He also asked her to give him all the goods which she had, that he might keep them for her so that they should

not be taken over by the treasury and the friars. And because the deponent did not do this, he afterwards sacked her house, as she has already said. . . . And after Don Diego had come from Moqui, while he was in La Isleta, he said publicly: "Let Diego González Lobón come from Mexico, and people will see the miracles which the *mestizo* from Peru knows how to perform" (saying this about the *mestizo* in reference to himself). He said that about letting Diego González Lobón come, because he had started the *residencia* in this city with the said Diego González. . . . When Don Diego had completed the *residencia* of Don Bernardo, he sent Juan Domínguez de Mendoza to tell Don Bernardo that if Don Bernardo would give him large sums, say up to ten thousand pesos, in goods which he indicated, that Don Bernardo might write the record of the *residencia* as he pleased, and destroy the records which he had taken. . . .

This same Fleitas preached a sermon when Peñalosa had recently come as governor, in which he said that God had brought [the governor] here to take the church out of the power of a heretic, and many other such things, as was told to Don Bernardo by Diego Romero and all those who heard the sermon and the other things which he said, for he only said these things as their detractor. So great was the hatred of this religious that he even went from house to house to ask that no one should knead a little bread for me. This he did in the house of Lucía de Montoya, threatening her that much evil would befall her if she did so. He even went so far finally as to command Don Diego not to do so, thinking to please him. . . .

[Teresa Aguilera also says] that in Los Hemes Andrés López Cambrano told her that when Don Diego came from Moqui about a year and a half ago, he sent from the convent of Sandía to summon María Ramos, the wife of Cristóbal Fonte. The message was to ask her if she did not know that Romero and Aguilar had been taken prisoners by the Inquisition in La Isleta, and that she was to come at once into his presence to make a certain declaration; but when the woman, impelled by the message, had gone to him, [she found that] it was for the purpose of sleeping with her, which he did. . . .

She heard Don Diego say that, being governor and captain-general, he was above the Tribunal of the Holy Office, and above that of the Cruzada; that the royal audiencia was the only court which he had to obey . . . but that when it sent him orders he would do what seemed well to him, for he was the superior there in all things. Informed regarding the powers of his office, he recognized no judge in this country who could excommunicate him, neither ecclesiastic, bishop, nor archbishop. This he said while he held the *comisario* of the Holy Office a prisoner; he also spoke with contempt of the person of the commissary and of the court; and he accused the commissary of being a traitor, saying that the privilege of the general brief had expired.

Item. She also says that when the commissary and custodian were conferring with Don Diego as to whether he [the commissary] might excommunicate him for having taken Don Pedro Durán out of the church after the latter had sought asylum in it, the custodian said that he had seen in the law that he was given authority by the pontiff to excom-

municate. To this Don Diego responded that with all respect for the authority of the pontiff he would arrest the custodian, as he did, the witness being present.

Item. She says that Don Diego imprisoned the custodian and commissary in a room with guards.

She says that when the custodian complained of his arrest, Don Diego said—while the custodian was lamenting, and when the lieutenant-general, Don Pedro Durán, and the *sargento mayor*, Don Fernando de Chávez, had been taken from the place in which they were, so that he might be put into the room,—that these men by reason of their offices, were to be considered of more consequence than all the authority of the offices of custodian, ecclesiastical judge, and commissary of the Holy Office.

Item. She heard Don Diego say: "They murmur against me because I have my lady friend in a house; this is true, and I brought her here; she has a seat in the church in the most important and conspicuous place of all. She is mother of my daughter and is my friend, and well deserves the place; she might well be put in a gilded tabernacle of crystal. . . ."

Item. She heard him say: "I was a cleric in my country, a padre, and I married when I was ordained as subdeacon, and I sang and intoned nicely a gloria, a credo, and a *prefacio*. . . ."

FRAY NICOLÁS DEL VILLAR TESTIFIES

He heard [Peñalosa say] that nobody should let himself be arrested by the commissary, and that he would go throughout all the kingdom and kill at one [*illegible*] . . . in the prison whoever should allow himself to be arrested, and he commanded that they should not carry . . . even a message for the Holy Office to anyone, under pain of hanging. . . .

Item. He read the letter of the king . . . there is another witness who says this. And after the departure Posadas said: "Excommunicate me? I swear in the name of Christ that not even the pontiff [will]."

[All the extracts of testimonies allude to the hatred of Peñalosa for the religious and the Tribunal, and his opposition to the execution of the commands of the Inquisition.]

[There follow the interrogations answered by Teresa de Aguilar. They contain nothing but repetitions and details of small importance. She accuses Father Fray Diego Rodríguez of having revealed a confession. The last hearing took place on August 19, 1666.]

DECLARATION OF FRANCISCO GÓMEZ ROBLEDO, MAY 4, 1663

[He was taken prisoner in Santa Fé on May 4, 1662. He says that] three years ago, when he was *alcalde ordinario* of the villa of Santa Fé, he called together before the *cabildo* all the important personages of the kingdom to give an account to this Holy Tribunal concerning the disorders and scandalous occurrences in that kingdom, but, not finding any one bold enough to come and report to this Holy Tribunal concerning the disorders and scandalous occurrences of that kingdom, nor anyone who dared to come and do so, on account of the distance, and the poverty of that king-

dom, he was obliged to do it himself, spending his meagre resources and putting his life at hazard. So he set forth from that kingdom bound for this kingdom of New Spain, with an official letter and report of all that was going on in [New Mexico].

[When he reached Zacatecas he met there Peñalosa, who took his papers away from him, saying that he would attend to everything himself.]

LETTER OF FRAY ALONZO DE POSADAS TO THE TRIBUNAL, CONVERSIÓN DE
LOS MANSOS, MAY 24, 1662

Herewith I remit to your most illustrious lordship two letters from the governor, Don Diego de Peñalosa. The first of them (concerning the *encomienda* of Diego Romero) refers to an order to an *alcalde mayor* named Juan Varela that he should not permit, under penalty of excommunication and a fine of five hundred pesos, any person whatever to take over this *encomienda*. The fact is that the *alcalde mayor* serves in the pueblo of Cochití, and there is no other Spaniard in the said pueblo. As soon as Diego Romero was arrested I endeavored, as I had done in other cases, to prevent anyone from taking over his *encomiendas*, for I knew that the governor wanted to take them over, for which reason he commanded the *alcalde mayor* not to take over the *encomienda*. The governor was offended because he was thwarted in his intention of taking it over, and he instituted proceedings, bringing at the same time a complaint as to competency of jurisdiction, concerning which matters there was strife with him. The said governor brought complaints against the *alguacil mayor* and the notary because one or two men had fled from the kingdom. I made inquiries concerning the matter, [and found that] these complaints were fictions of his, for these men fled of their own accord, and not because the ministers of your most illustrious lordship caused them to do so; indeed, the *alguacil mayor*, Don Juan Manso, and the father notary convinced the governor of this. . . .

That any scruples of conscience may be allayed . . . [I take the opportunity] to relate to your lordship a case which I observed, and . . . [you will be] able to examine it. It happened in the following manner: I was in the villa of Santa Fé . . . on the Thursday before the second Sunday in Lent, because I had taken upon myself the duty of preaching in the villa on that Sunday. On the preceding Friday the father preacher, Fray Nicolás de Freitas, who was then *guardián* of the villa, said to me that Governor Don Diego de Peñalosa had ordered him to sing a mass on Saturday and to uncover the Holy Sacrament, to the end that he, the governor, might have a successful journey on an expedition which he was going to make to the province of Moqui. . . .

[He gives an account of the ceremony, so many times alluded to, of Peñalosa and the custodian, etc. Peñalosa came on horseback, and entered as far as the high altar with his spurs on. Father Nicolás de Freitas ordered the ceremony performed, saying that the same thing had been done with the Duke of Albuquerque. Father Fray Alonso de Posadas disapproves of the occurrence, and reports it to the Tribunal.]

LETTER OF DIEGO DE PEÑALOSA TO THE CUSTODIAN, ISLETA, JUNE 16, 1662

At eight o'clock at night I take up my pen to advise your reverence that I reached Isleta to-day, Friday, at eleven o'clock; I come for the purpose of having my goddaughter confirmed, and am awaiting the godparents. . . . [Both this letter and the preceding one, dated in Santa Fé, May 25, 1662, are full of accusations against the religious and the Inquisition.]

LETTER OF FRAY ALONZO DE POSADAS TO THE TRIBUNAL, CONVERSIÓN DE LOS MANSOS, NOVEMBER 24, 1662

[Concerning the arrest of Mendizábal and his wife.] About the end of March of the present year, 1662, there came to these provinces of New Mexico General Don Juan Manso, who gave me a packet of documents from your lordship which contained the orders concerning Francisco Gómez, Diego Romero, and Nicolás de Aguilar. I received the packet on April first. Diego Romero and Nicolás de Aguilar were absent, having accompanied the governor of these provinces, Don Diego de Peñalosa, who had gone at that time to the provinces of Moqui, which are one hundred leagues distant from the villa of Santa Fé. . . .

Governor Don Diego de Peñalosa arrived at the pueblo of La Isleta on May first. . . . [Posadas had Nicolás de Aguilar imprisoned in Isleta when Peñalosa was there. He also seized Diego Romero at that time, and Peñalosa sent at once to have the arms, etc., of both of them collected for himself.]

On August nineteenth I received the order and command of your lordship to arrest Don Bernardo López de Mendizábal and his wife, Doña Teresa de Aguilera y Roche. The order was brought by Diego González Lobón, who went first into the presence of the governor . . . and then, in company with Father Fray Nicolás de Freitas, went to the convent of Santo Domingo on the same day, the nineteenth of August of the present year. Having received and opened the order, and seeing that Don Bernardo López was a prisoner under guard of four [soldiers] in his own house, and that placing him under arrest when he was so guarded might cause some trouble from the governor and prevent execution of the order—for in these remote lands the governors seize all the powers which they think they can take, and no other authority can be exercised without notifying them—I therefore said to Father Fray Nicolás de Freitas, he being the governor's best friend, presenting the matter to him under the secrecy customary to ministers of the Holy Office, that he ought to ask Don Diego de Peñalosa cautiously and carefully to take away the guards from Don Bernardo López, for I had an imperative duty to perform. . . .

[The prisoner could not well be sent away in the wagons,] for they were being made ready to go within a month, that is, at the end of September, and there remained much to be done, but the wagons could not be held so long, for if they were, it would result in great loss through the rigors of the winter. Fray Nicolás de Freitas went to the villa of Santa Fé. but I do not know what he said to the governor; what I do know is

that he commanded the guards under penalty of their lives not to let any one, no matter what his quality or condition, take away Don Bernardo López de Mendizábal. But [the governor], either due to his suspicion caused by having had the order in his possession, or to some information which he may have obtained from Father Fray Nicolás de Freitas, seems to have known or learned that Don Bernardo was to be arrested by your illustrious lordship on the following Thursday, which would be the twenty-ninth of August, and he wrote a letter to Doña Teresa de Aguilera y Roche . . . [asking] to speak with her in the church concerning matters of interest to her. . . .

[This all refers to the imprisonment of Mendizábal and his wife, and to the schemes of Peñalosa to gain control of the property of Mendizábal, thus withdrawing it from the power of the Inquisition.] Doña Teresa de Aguilera y Roche asked me to have her carriage made ready for her so that she might go in it to that city, and I did so, being moved with charity because she was ill. Then Governor Don Diego de Peñalosa sent several persons to me to ask if the carriage was for sale or whether she would take one hundred pesos for it, and he was apparently resentful because she would not let him have it. . . . [It appears that the successor of Posadas as custodian was Fray Juan Ramírez, but he was, on that occasion, merely administrator of the wagons. Everything revolves about the imprisonment of Mendizábal and his treatment.]

LETTER OF FRAY ANTONIO DE YBARGARAY TO THE TRIBUNAL,
GALISTEO, OCTOBER 1, 1663

And at three o'clock in the afternoon I received the enclosed from the father *guardián* of the villa of Santa Fé, New Mexico, in which he advises me that our Father Fray Alonzo de Posadas, commissary of this Holy Tribunal, was held a prisoner by Governor Don Diego de Peñalosa Brizeño, who went in person with a number of soldiers to seize him at his convent of Los Pecos. The reason was the embargo which he had placed in El Parral on the goods which Don Diego de Peñalosa Brizeño had sent to the treasury of his Majesty, and since that time the governor has persecuted the father commissary and custodian of this *custodia* of San Pablo of New Mexico. And now, because Posadas sent to notify the said Governor Don Diego de Peñalosa Brizeño that a prisoner whom he had taken violently from the church must be returned within twenty-four hours under penalty of major excommunication, Peñalosa arrested him, which is the mode of procedure of the governors of New Mexico in matters of justice. Because they are in the wrong they are unwilling to respond to legal orders and notices, but trample upon them all as if they were absolute, as they are, for there is no law save that which they desire; they neither recognize allegiance to the church nor observe its law. . . .

LETTER OF FRAY NICOLÁS ENRÍQUEZ TO FRAY ANTONIO DE YBARGARAY,
SANTE FÉ, OCTOBER 1, 1663

I write with great sorrow to you as apostolic *definidor* and eldest father in this *custodia* to say that our father custodian is a prisoner in the palace,

for last night the governor brought him from Pecos. I have closed the church and have consumed the sacrament, being determined to retaliate with an interdict. All the churches are under obligation to do the same, for their pastor and prelate has been destroyed. I am advising your reverence, so that if they should call or summon you for a conference, you may respond by merely asking for time in which to make a reply. The case is a serious one, and it seems to me without precedent.

REQUEST ADDRESSED TO THE TRIBUNAL BY RUÍZ DE CEPEDA,
MEXICO, FEBRUARY 7, 1664

[He refers to the two preceding letters, and says:] I find that the abuse committed by Don Diego de Peñalosa Brizeño, governor, etc., went far beyond what could have been imagined, extending by deed as far as he could carry his sacrilegious ferocity. This has been incurred by Fray Alonzo de Posadas, by virtue of his office as commissary, he having complied with his obligation as such in the matter of the embargo which he sent to have placed by Don Juan Manso. Not only the present letters, but other earlier ones which have been received by this Tribunal, demonstrate this fact. From all of these—they being three in number, and being included in the *autos* which I have introduced against Fray Nicolás de Freitas and Fray Miguel de Guebara and in those which have been issued against Don Diego—it is evident that the foregoing is true, but not judicially set forth because they have not been legally attested nor acknowledged. Wherefore it seems to me that the urgency of the case requires that an official despatch should be sent to New Mexico with the letters of the said Fray Antonio de Ybargarai and Fray Nicolas Enríquez so that they may be legally attested before the person to whom they were remitted, and other persons may be cited who know that the hatred of the said governor for the commissary arose from this embargo . . . and so that when this has been attended to, steps may be taken to arrest the said Don Diego and place an embargo upon all his property, a sufficient part of it being sold to pay for his being brought here and for pay of the guards who are to bring him under arrest . . . for any less a demonstration would not be fitting retribution for such unmeasured impudence. And the commissioner who may be so named should at once take the commissary out of prison and place him at liberty, in which action the justices should give him all the favor and aid he may need, under imposition of such penalties as your lordship may decide, in order that the situation may be promptly remedied, for the state of the case admits of no delay. And I hereby declare that when he is in the prison of this Holy Office, I will make more formal accusation against the said Don Diego. . . .

LETTER OF FRAY ALONZO DE POSADAS TO THE TRIBUNAL, JANUARY 3, 1664

[Complaints against Peñalosa.] . . . going so far as to make me prisoner within these royal houses, taking me from the convent of Los Pecos with a guard of soldiers whom he had for the purpose provided with arms and orders which he as governor gave to the said soldiers, among

whom was the bearer. And he said to me plainly that it would have been more to my interest if I had tried to serve his pleasure instead of dealing with embargos by the Inquisition; [he also] invented crimes which I not only have not committed, such as saying that I desired to start a revolt in the kingdom, and [indulging in] other most undignified personalities. . . .

[Everything centers about the embargo, or attachment, of the goods of Mendizábal and Romero.] He has, possessing the power of governor, attempted to make inquiry concerning all my movements; he has even made efforts to have laid before him what has been done [by myself] in the name of this Holy Office. . . . [In his letter to the Tribunal, Santo Domingo, June 8, 1664, Posadas says:] And after the aforesaid Don Diego de Peñalosa left this kingdom and these provinces—it was in the month of March of the current year—his predecessor (?) [successor]⁸³ Don Juan de Miranda came and at once began to exercise his office.⁸⁴ [He also says that Peñalosa left “this kingdom” at the end of February or the beginning of March] and that when he went he carefully took with him the royal standard unfurled, and, although the road lay directly through this pueblo of Santo Domingo, he did not wish to enter it. . . . [Always concerning the embargo of the goods of Mendizábal. There are numerous letters.]

DECLARATION OF FRAY BLAS DE HERRERA, OF THE CONVENT OF HEMES,
JULY 12, 1663, IN SANTO DOMINGO

[Accusations against Peñalosa, of immorality and arbitrariness in matters concerning the Holy Inquisition, as already mentioned. He says that Peñalosa wrote letters in which he spoke very coarsely against Posadas and other religious.] He declares further that Don Diego de Peñalosa spoke with the greatest contempt of all the priests, charging them with iniquitous and infamous offenses. Among his charges were written ones against three religious, two of whom were our father custodian and commissary and the present father notary; [the third was Father Fray Francisco Muñoz, *guardián* of the convent of Sandía. These letters are very bitter and satirical; one of them, which is the most infamous, the declarant has heard Father Fray Nicolás de Freitas read in the presence of Father Fray Gabriel de Torija. [It is evident] from the foregoing, and from the high praise which Fray Nicolás de Freitas bestows upon the doings of Don Diego, although the latter is a son of a Portuguese, that he is afraid of him. . . .

[The arrest of Fray Alonzo de Posadas took place in Pecos on September 30, 1662. The date may be doubtful.]

⁸³ See note 60, *supra*.

⁸⁴ According to a letter of Father Posadas, dated June 7, 1664 (*infra*, p. 255), Governor Miranda was also the *juez de residencia* of Peñalosa. Miranda served until the latter part of 1665. See note 95, *infra*.

DECLARATION OF FRAY TOMÁS DE ALVARADO, CONVENT OF SAN DIEGO
DE LOS JEMES, NOVEMBER 12, 1663

[He was *guardián* of the convent and pueblo of Nuestra Señora de la Asunción de Tzia, a Spaniard, sixty years of age, and *definidor*. Peñalosa was performing a visitation in Jémez and in Tzia in September of 1662 (?). Peñalosa spoke in filthy and obscene terms of the religious. I do not copy them, as they are too filthy. He recounts the arrest of the father custodian. Fray Tomás de Alvarado] and Father Fray José de Espeleta went to the villa of Santa Fé, where they learned that on the last night of the month of September Governor Don Diego de Peñalosa went with ten soldiers to the convent and town of Los Pecos, where the minister was, and is now, the present father commissary. There, at an unseasonable hour of the night, the governor seized the father and took him that same night to the villa and put him in a room in the palace, where the declarant saw the said father custodian and commissary in the dark, for the reason that the window was closed with adobes and pieces of timber; the door was also closed and a guard stationed without. . . .

[They went to speak with Peñalosa, asking him to release the custodian, but the former replied] that he was going to send him to his prelates as a covetous person and a disturber of this kingdom. . . .

[After a long conference in the room in which the father custodian was a prisoner, and in the presence of Fathers Espeleta, Alvarado, Nicolás Enríquez, Diego de Parraga, Fray Nicolás de Freitas, Fray Fernando de Velasco, and the lay brother, Blas de Herrera, they agreed with Peñalosa (who also was present) that they should take an oath of secrecy concerning the affair, and they wrote a statement which remained in the hands of the governor, sealed. Whereupon Fray Alonzo de Posadas was set free, being accompanied to the door of the palace by Peñalosa. . . . This testimony was attested. Captain Juan Varela de Losada also deposes against Peñalosa on March 23, 1664.]

DECLARATION OF FRAY BERNARDO LÓPEZ DE COVARRUBIAS,
SANTO DOMINGO, JUNE 17, 1664

[He is from Michoacán, thirty-four years of age, minister of the pueblo of San Marcos. He says:] There were religious who took an excessive interest [in the matter], as, for instance, Fray Nicolás de Freitas, who, the declarant has heard various persons say, kept inciting . . . the governor against the ministers of this Holy Office, saying to him that the embargo was null and could not be enforced because the commission of the father commissary was merely *ad interim*, [issued] for the purpose of apprehending the prisoners who were mentioned in the order. . . . [Against Peñalosa. It also deals with affairs outside of New Mexico.]

DECLARATION OF ANDRÉS LÓPEZ ZAMBRANO,
SANTO DOMINGO, FEBRUARY 20, 1664

[Concerning the property of Mendizábal.] Elena Gómez . . . had an account with Don Bernardo López de Mendizábal in the matter of a bill

which amounted to one hundred odd pesos, thirty-five of which remained to be paid (in pesos or *mantas*, for these amount to the same thing in this country). They were brought from the *encomienda* of this Elena Gómez (it being that of the pueblo of Aguatubi in the province of Moqui) by Captain Francisco Javiel [Xavier?]. . . . And that recently when he [Peñalosa] left this kingdom for Mexico he took with him his concubine in a carriage with the royal standard in front of the said carriage. . . .

[Item. He says] . . . that in the pueblo of Cochití which is where he lives, this declarant being justice, as he is, the said Don Diego de Peñalosa arrived there at the beginning of the month of September of the past year, 1663, to perform his visitation. He tried to take away from the said pueblo a girl about nine or ten years of age so as to fetch her to his palace. But the Indian mother of the girl and her uncle, who is governor of the pueblo, making serious objection because he proposed to take their relative away from them, the declarant and his wife went to beseech Don Diego, not to deprive the Indian woman of her daughter nor the governor of his niece. To this request he replied that the girl should not be taken, and that they might be gone to their houses, and good riddance, which they did. This must have been about four o'clock in the afternoon, but later that night the governor summoned the uncle of the girl, the Indian governor, whose name was Mateo Cupy, and asked him what they would give him for not having taken the girl away from them. To this the Indian replied that they would give him twenty-six pesos, which they did in the form of three cows and the remainder in *mantas*, antelope skins, and buckskins, to the full value of twenty-six pesos. The said Governor Don Diego de Peñalosa then told the Indian not to say anything [about it] to the declarant, who was *alcalde mayor*, but the declarant learned of the matter later from the Indian and from the secretary of the governor, Juan Lucero de Godoy by name, who said that it seemed to him a great tyranny to sell their own blood to the mother and uncle (who had done no wrong), especially since the poverty of the Indians of this country is so great that they cannot even clothe themselves, and inasmuch as for the sum of twenty-six pesos one could buy an Apache woman as a bond-servant.

[He relates another case. Peñalosa stole a little Indian girl from her parents, who lived in Santa Fé, and sent her to Mexico in secret. Afterward, he asked Francisco de Anaya Almazán, the master of the girl, to give him a certificate that he had turned over the little Indian girl to him. Anaya refused, but Peñalosa obliged him by threats to do so.]

Item: He says that he [the declarant] did by express order of Governor Don Diego de Peñalosa, go to the pueblo of Tzia and take away from her own mother a little girl of eight or nine years; she was a native of the place and daughter of an Indian woman. He took her away into his service, leaving the mother and her relatives disconsolate and giving them nothing. In the town of Taos he committed an injury similar to the one just mentioned, by depriving another poor Indian woman of her daughter, whom he tyrannically took into his service, carrying her with him to New Spain.

Item: He says that Antonio González Vernel, secretary of the *cabildo*, told this declarant with lamentations that the said Governor, Don Diego

de Peñalosa, had made him utter two thousand falsehoods and sign an infinite number of false signatures.

Item: He says that all this kingdom was scandalized, especially this declarant, because the governor . . . went, on the twenty-ninth of the month of September of the past year, 1663, with some men to the pueblo and convent of Los Pecos, and at an unseasonable hour of the night took from the convent the present father commissary of the Holy Office and custodian of this kingdom and brought him as a prisoner directly to the royal houses of the villa of Santa Fé, where he kept him locked up with a key . . . and the window covered over. He also set guards over the commissary with two pieces of artillery loaded and trained on the principal door of the hall. . . . He kept him in this manner for several days, and afterwards set him free. . . .

[Everything was due to the embargo placed on the property of Mendizábal. One of those who accompanied Peñalosa to Pecos was Captain Lorenzo de Madrid.]

Item: He said that when Governor Don Diego de Peñalosa was ready to go to perform his visitation of Moqui in the year 1662, one Saturday morning in the month of March, prior to his departure. . . .

[Here follows the incident of the church. . . . Captain Andrés López Sambrano adds to his declaration (folio 19) that the return of Peñalosa from Moqui was at the time when Romero and the others were arrested in Isleta. There follow numerous declarations against Peñalosa. Folio 36. One woman says that Peñalosa told her that he had had a quarrel with a cleric in La Paz, Bolivia, before he left there for Mexico, but that they had been reconciled. There are many accusations by women who claim that Peñalosa had forced them or had tried to force them. One witness says (folio 37) that on account of the arrest of Fray Alonzo de Posadas] there was very great confusion and scandal among both Spaniards and natives, and that if the situation had endured longer most of the people would have gone from the villa to the mountains, because the affair was a thing never before seen or heard of in this kingdom and had caused great confusion. [The same witness asserts] that in certain sermons which were preached in this church of the villa while Father Fray Miguel de Guebara was *guardián*—some of them preached by Father Guebara, and others by Father Fray Nicolás de Freitas, who were both great friends of Don Diego de Peñalosa—they exalted by indirect words the actions of the governor, and censured those of their prelate and commissary of the Holy Office, all their utterances being directed against the embargo which the said father commissary had placed on the estate which Don Diego de Peñalosa had taken for himself while he was governor. [It seems that even the religious were divided into two factions, the majority of them being in favor of the father commissary and against Peñalosa. These declarations are by Pedro Lucero de Godoy.]

DECLARATION OF FRAY NICOLÁS ENRÍQUEZ, MAY, 1664. SANTA FÉ

[He was from Jalisco, and lived in the convent of Santa Fé. Folio 51. He speaks of the personal visitation] which the prelates in the Order were

accustomed to make, going to the provinces of Zuñi and Moqui. The latter was one hundred leagues distant from this *custodia*, [the intervening territory being populated] entirely by heathen enemies, among whom one would travel at manifest danger to his life unless he had an escort of Spanish soldiers and Christian Indians. This risk was well known to the whole kingdom at the time that this declarant set out from the convent of El Peñol de Ácoma, and was fallen upon by an ambuscade of enemy Indians, who took away from him all that he had, and failed to kill him only because of the obscurity of the night, which gave him opportunity for flight. This he says in order that it may be seen how great is the danger of the road, and how great also is the tyranny and ill-will of the governor, Don Diego de Peñalosa. The latter, knowing that the reverend father custodian was going upon this visitation, sent the *maestre de campo*, Pedro Manso de Valdés, as *visitador* and lieutenant-general of the entire kingdom, with orders to go to the said provinces of Zuñi and Moqui, taking with him Captain Alonzo García, *procurador* of the Santa Hermandad, *Alférez* Bernabel Márquez, and Antonio González, the secretary of the *cabildo*, who also performed the same duty for the visitation. This Pedro Manso de Valdés bore an order, which he executed, not to permit any Indians to go as an escort with the reverend father custodian, but to cause him to go alone, and to deprive him of the Indians of the Jémez nation who had accompanied him. This the lieutenant-general did, in the most dangerous part of this kingdom, that is, the country which lies between the pueblos of Aguico and Aguatubi.

In the latter pueblo Pedro Manso de Valdés imprisoned a boy who attends the cell of Father Salvador de Guerra, who is the notary. He wanted to hang this boy, named Juan, but desisted because of the persuasions of Father Fray Joseph de Espeleta, for the boy had committed no offense other than to attend the father notary. All of this was told to the declarant by Pedro Manso de Valdés himself. As to the free exercise of the functions which Reverend Father Fray Alonzo de Posadas possesses as custodian, ecclesiastical judge, and commissary of the Holy Office, in none of these did [the governor] allow him to operate freely; for, with regard to the privilege of the Order, he kept religious in his palace against the will of the prelate; as for the ecclesiastical judgeship, on account of a case of Church immunity wherein violence was done in bringing forth a person who had sought asylum, he said that the [father commissary] was only a subordinate vicar, and denied that he possessed general powers. . . . And in regard to his trying to frustrate and outrage the office, dignity, and preëminence which pertains to commissaries of the Holy Office, so great was his enmity, due to the embargo which had been placed against him, that on the last day of September of the past year, 1663, which was Sunday, at about noon or a little later, he gave a secret order to twelve men who were residents of this villa to await him on horseback on the road through the fields near a forest of junipers. At a little past three in the afternoon Don Diego de Peñalosa mounted his horse, saying that he was going to the ranch of Captain Francisco de Anaya for pleasure. Setting out, he went directly to where he had these men stationed, and there he

commanded them to follow him, and they went directly to the town of Los Pecos, which is the *doctrina* administered by the reverend father custodian. Well, on the next day, Monday, at about six o'clock in the morning, there entered the cell of this declarant Fathers Fray Diego de Parraga and Fray Nicolás de Villar with some of the boys of the convent, and told the declarant that the commissary of the Holy Office was in the governor's palace. . . . The declarant immediately had Father Fray Gabriel de Torija summoned, and commanded him to go to the sacristy, clothe himself, and consume the holy sacrament which was deposited in the ciborium, for the declarant feared lest some contemptuous or forward act might be committed such as has occurred upon other occasions, as for instance once when a governor who was in this kingdom carried away the holy sacrament to his palace and kept it there, also celebrating holy week in his house. Another governor seized the holy sacrament and placed it in a little silver box which he used for powder and carried it away in his pocket. Fearing that Don Diego de Peñalosa might commit greater indiscretions, since he has threatened him with death, [the declarant] as master and *guardián*, caused the holy sacrament to be consumed because he knew his evil nature and depraved customs. On the same day Don Diego de Peñalosa began to send him notices by his secretary, and after he had done this . . . the declarant, against the judgment of all the religious of the convent, who anticipated that he would be imprisoned or put to death, nevertheless went to the convent, where he found the principal door of the reception hall shut, and in the hall two pieces of artillery mounted on their carriages. Apparently the pieces were loaded, for they were seen to be wadded with black wool almost to the muzzles, and the touch-holes were covered with some pieces of deerskin tied on with cords. These pieces were aimed at the principal door, which opens into the plaza. . . .

[There follows the detailed account of the final adjustment of the arrest just as contained in the foregoing. Folio 54. Fray Nicolás Enríquez ratified his testimony.]

FOLIO 58. DECLARATION OF FRANCISCO DE ANAYA ALMAZÁN,
SANTA FÉ, MAY 18, 1664

He is *alcalde mayor* and *capitán á guerra* in the jurisdiction of Los Tagnos . . . to declare what happened to him when Don Diego de Peñalosa Brizeño was governor and captain-general of this kingdom, in the matter of the *encomiendas* which belonged to his father, Captain Francisco de Anaya Almazán, now deceased. The fact is that when the father of the declarant died, within one hour of his death Don Diego de Peñalosa sent to summon the declarant to his house and told him that the president and father commissary had wanted to place an embargo on the *encomiendas*, which constitute half of the pueblo of Cuarac, and half of the pueblo of Los Pecuries, these being the *encomiendas* which were possessed by his deceased father, because they then belonged to Captain Cristóbal de Anaya Almazán, who was a prisoner of the Holy Office. Don Diego told the declarant . . . that he had prevented the father commissary from placing an embargo upon the *encomiendas*, because Cristóbal de Anaya

was a prisoner already when his father died, and that Cristóbal could not inherit them since he was a prisoner of the Holy Office. [Peñalosa had him called by a secretary, who had received the order to do so] by word of mouth, in order that he might take from the house of the deceased father of the declarant, as he did, the titles to these *encomiendas*, which he took in a box into the presence of Don Diego, who retained them for several days, at the expiration of which he called the declarant and handed him the little box and the titles. At the same time Don Diego de Peñalosa gave the declarant a new title as trustee of the *encomiendas* in question, in which it was stated that, because the aforesaid Captain Cristóbal de Anaya was a prisoner, he had named him as his trustee, and told him that he should, by virtue of the title, collect [the revenues of] these *encomiendas* to provide food for himself and maintenance for his mother.

Consequently, the declarant served his Majesty [as collector of the revenues] until the time arrived for the collections of October of the past year, 1662. At that time the said Don Diego, without giving any notice or information to the declarant, sent to have the revenues of the *encomiendas* collected in his own name, and had the proceeds carried away to his own house, after which he sent to summon the declarant. When the latter had appeared in the presence of the governor, Peñalosa told him that he had there the collections for October from the said *encomiendas*, and that the brother of the declarant, Captain Cristóbal de Anaya, prior to his imprisonment had owed him, the governor, a few pesos; that his father also had owed him three or four pesos, and the declarant still another two pesos; and that he had ordered the revenues from the *encomiendas* to be collected in order that he might repay himself. In this manner he kept the amount collected, the declarant not knowing whether it was true or not that his father or his brother owed the governor anything. [Peñalosa kept on collecting the revenues from the *encomiendas*, and would not give Anaya any of the cotton *mantas* for his mother. Peñalosa made three collections, those of October, 1662, and of May and October of 1663.] That is, three collections entire were usurped by Don Diego de Peñalosa. The declarant says that each of the collections which Peñalosa made in the pueblo of Los Pecuries amounted to thirty-four pesos more or less, making the amount which he collected from this pueblo at least one hundred and two pesos; in the pueblo of Cuarac he also collected some twenty pesos, more or less, so that the three collections made by Don Diego amounted to sixty pesos at least. [When Peñalosa went to Mexico he summoned Anaya and told him to collect the revenues and turn them over to Pedro Lucero de Godoy, and that one half of the amount collected should be paid into the royal treasury, and the other half used to support the mother of Anaya.]

[FOLIO 59.] DECLARATION OF HERNANDO MARTÍN SERRANO,
SANTA FÉ, MAY 21, 1664

[He is] a native of Iunque in this kingdom . . . an *encomendero* and a widower, [fifty-eight years of age. Folio 60. Among the effects of Mendizábal was a bundle of three hundred odd antelope skins, "all

washed." Another bundle contained four hundred skins, unwashed. In another bundle were one hundred antelope skins *tapuies*, "which were worth two pesos each." Another bundle] of small antelope skins, which were those valued at two for one peso, probably contained about four hundred skins. [*Antas* (buckskins) were worth two pesos each, hence the four bundles were worth twelve hundred pesos. The declarant was guard of the house of Mendizábal for one hundred and thirteen days, his salary being one peso per diem. The entire record here concerns the goods belonging to Mendizábal, and consists of accusations against Peñalosa for abuses.]

RATIFICATION BY MARTÍN SERRANO

[Folio 63. Peñalosa collected the revenues from the *encomiendas* of Francisco Gómez and Diego Romero.] The declarant was once in Galisteo, whither he was sent with a letter ordering Captain Gerónimo de Carbajal, his *alcalde mayor*, to go and collect the revenues of one of the *encomiendas* in question, namely that of the pueblo of Los Pecos, which is the best one, and he collected them. On another occasion Father Fray Nicolás de Freitas left the villa with orders to collect the revenues from the *encomienda* of Los Taos, which he did, as well as those of Los Pecuries, which belong to Captain Cristóbal de Anaya Almazán. The declarant went with this father, and saw him collect the revenues.

[FOLIO 69.] DECLARATION OF FRAY GABRIEL DE TORIJA, SANTO DOMINGO, JUNE 3, 1664

[He was the minister *guardián* of San Diego de los Hemes, a native of Puebla; age, twenty-seven years.] . . . knowing that the father custodian . . . sent him to notify him [the governor?] to return and restore to the church Captain Don Pedro de Chávez, who had sought asylum in the church of Santo Domingo, from which Don Diego de Peñalosa had commanded him brought forth, with clash of arms and violence. . . . [He testifies concerning the arrest of Posadas in Pecos. It was at night] at an unseasonable hour, at a time when the father commissary was walking up and down reciting the rosary. [The testimony here concerns the *encomiendas* of Anaya, confirming the previously recorded declaration of Anaya himself. Disputes concerning the collections from the *encomiendas* between Peñalosa and the commissary of the Inquisition.] And with reference to the third point, the securities having been arranged [Peñalosa] said that he had given the *encomienda* of Diego Romero in trust to Pedro de Montoya, the younger, his adjutant; and he named Don Martín Carraga, a dependent of his, as trustee of the *encomienda* of Los Pecos, which belongs to Francisco Gómez and is the largest *encomienda* in the country. He also said that these men had no need to give securities, for the one who had named them would see to that. . . .

Item: I certify that at noon on Saturday, August 26, the father commissary and I arrived at the pueblo of La Ciénega on the way to this villa, the pueblo being half way; consequently it was on the morning of that day that we set out from Santo Domingo.

DECLARATION OF FRAY SALVADOR GUERRA, SEPTEMBER 22, 1662

Item: I certify that it has always been the custom in these provinces, and we see it occurring every day, for the settlers who have no *encomiendas* to serve continuously both in the campaigns and in the convoys, instead of the *encomenderos* themselves serving; but both the *encomenderos* and the others keep their arms and horses ready for the orders which the governors send to them. Thus, when it happens that there is need to nominate a trustee in case the wife of an *encomendero* is left a widow, to whom the *encomienda* legally descends, or where there are children who inherit but are not of sufficient age to hold it, and a trustee is required, the third part of the revenue is assigned to such trustees, or a certain number of houses, as may seem equitable to the owners and to the trustees; so that it is always a moderate compensation which is given to them. . . . And I testify that I have at times seen many persons in this kingdom who have no *encomiendas* unable to obtain horses with which to go out to war when they have arrived at their homes after a journey of two or three months, or have returned from an escorting expedition of fifteen or twenty days, and are immediately summoned for another, although they are at times threatened with loss of their effects, and still others with loss of life if they do not go out either on horse or on foot. They do go out immediately, whether it be winter or summer, and if, as has been charged, it happens that persons are obliged to go who are neither *encomenderos* nor have even a page, yet many of the settlers in the villa of Santa Fé who have so many *encomiendas* that some hold three, two, five, seven, or ten of them do not go out upon these journeys, nor do they provide soldiers. Those who have the means to do so do not send them, while those who live in the country, raising a few poor sheep and cultivating a little cornfield are obliged to go out, leaving their houses, wives, and children alone in the wilderness. This is the way the governors and large *encomenderos* do, and this is the end for which his Majesty gives them lands, water, and pasture, and there seems to be no help for it. . . .

LETTER OF FRAY JUAN DE PAZ TO THE TRIBUNAL,
SANTO DOMINGO, OCTOBER 29, 1665

[It appears in this letter that Father Paz was commissary in the place of Father Posadas, who went to Mexico. Posadas says that Mendizábal had a large quantity of salt in Abó.]

DECLARATION OF FRAY BLAS DE HERRERA, SANTO DOMINGO, JULY 12, 1663

[Against Peñalosa. Folio 2. He accuses Fathers Miguel de Guebara and Nicolás de Freitas of having given communion to Peñalosa and his concubine together. He accuses Peñalosa of incest(?). Captain Andrés López Zambrano said to him] that he had noticed that the little firmness in the faith possessed by the recently converted natives of this kingdom is caused by these and other scandalous actions which they see the governors commit. . . .

[Folio 3. When Fray Blas de Herrera was teaching the doctrine to the Mansos in El Paso] it seemed to him from the actions and the things that were said to him by some of the Mansos, that Captain Andrés López de Gracia, a settler on that river, was hindering the conversion of those heathen. [In the ratification, dated December 14, 1663, the lay brother, Blas de Herrera, [said he] was a "dweller in the convent of San Marcos." In July he had been in Jémez. His further testimony concerns the arrest of the commissary and of the Chávez, who were taken from the convent of Santo Domingo (from the church).]

DECLARATION OF FRAY NICOLÁS ENRÍQUEZ, GUARDIÁN OF TZIA,
NOVEMBER 12, 1663

[He testifies to opprobrious words uttered by Peñalosa against Posadas and the Inquisition.]

DEPOSITION OF FRAY BERNARDO LÓPEZ DE COVARRUBIAS, GUARDIÁN OF
SAN MARCOS, JANUARY 17, 1664

[He denounces Father Fray Nicolás de Freytas as the "consort and ally" of Peñalosa, and says that during Lent of 1663, he preached two sermons against Fray Alonzo de Posadas, calling him "Caiaphas" and "Judas." The concubine of Peñalosa was named María de Barrios; she is mentioned in several places. He had her living with him in the palace at Santa Fé.]

[FOLIO 33.] DECLARATION OF CAPTAIN CRISTÓBAL DURÁN Y CHÁVEZ,
MARCH 9, 1664

[He says] that about the beginning of the month of January of this current year Captain Juan Domínguez de Mendoza came to his house . . . and said to him that the *sargento mayor*, Don Diego de Peñalosa Brizeño, governor of this kingdom, had given the declarant a title in which he named him as trustee, or substitute *encomendero*, for the pueblos of Tzia, Cochití, and other *encomiendas* belonging to the *sargento mayor*, Diego Romero, who had been arrested by the Holy Office. The governor delivered to the declarant this title, in which he assigned to him half of the *encomiendas* mentioned in return for the services of the trusteeship. The declarant knew that these *encomiendas* are sequestered, and the rents of them confiscated by the Holy Office. . . . [The title mentioned bears the date Isleta, May 4, 1662.] From which it is plain to be seen with what deception Diego de Peñalosa has proceeded and wishes to proceed, by allowing it to be understood that the declarant has been possessed of the revenues from these *encomiendas* from the date of the title until the present time, the fact being that the title was delivered to the declarant as has been said, although the latter has heard that Don Diego has been collecting the revenues from the time when Diego Romero was arrested until now. . . .

[Title:] The captain and *sargento mayor*, Don Diego de Peñalosa Brizeño y Verdugo, a feudatory possessing *encomiendas* in the kingdoms

of Peru, alcalde of the provincial of the Santa Hermandad of the city of La Paz and the five provinces of his district, governor and captain-general of these [provinces] of New Mexico for his Majesty:

Inasmuch as the king, our lord, whom may God keep many years, has fixed at thirty-five the number of *encomenderos* who shall enjoy the tributes of the pueblos as salary, stipend, or pay for serving as soldiers in the continuous wars against the heathen for the defense of the conquered and settled territory, serving with their arms and horses, either in person, or through their substitutes, provided they have some legitimate excuse or exemption from the prince or from the governor who represents him; and inasmuch as the Holy Office of the Inquisition of the City of Mexico has ordered the arrest of the *sargento mayor*, Diego Romero, one of the *encomenderos* mentioned, I do, in fulfillment of the obligation of my office and for the sake of good military government, and to the end that the frontiers may be protected from the continuous invasions of the enemy, for the time being name and elect, in consideration of merit, services, and suitable capacity, Captain Don Cristóbal Durán y Chávez, in the stead of the said *sargento mayor*, that he may discharge for him all the obligations and duties to which the proprietary was obliged as an *encomendero*; and for his labor and service, and to the end that he may maintain arms and horses which he must have ready and equipped, I assign to [Durán] the half of the tributes belonging to Diego Romero, reserving the other half for the maintenance of [Romero] during his imprisonment, or until other disposition shall be made by the supreme government of these kingdoms and the royal audiencia, to whose tribunals I have reported, as well as to that of the Holy Office of the Inquisition; and so that he may meanwhile attend punctually [to his duties], as he ought, he shall take the oath of fidelity with the accustomed solemnity, and enjoy as did the *encomendero* himself all the honors, favors, and preëminences, exemptions and liberties which are conceded to him fully and fittingly with nothing lacking whatsoever; and I command that he shall be held and esteemed as such substitute *encomendero*, and that the *alcaldes mayores* shall cause him to be paid the half of the tributes mentioned, and that the Indians shall be charged to recognize his authority, under the reservation that they shall render him no service whatever, either personal or commuted as such, these two provisions being made because of the serious consequences which result from this abuse. . . . In the pueblo of La Isleta, May 4, 1662.

[FOLIO 39.] DECLARATION OF MARÍA VARELA, SANDÍA, MARCH 14, 1664

[She says] that at the time when the former governor of these provinces, Don Diego de Peñalosa, came to perform the visitation of Zuñi and Moqui . . . [he tried to force the declarant.]

DECLARATION OF JUANA ALUIZU, ON THE FARM OF SAN NICOLÁS,
SANDÍA, MARCH 26, 1664

[Concerning the documents brought to Father Posadas. Folio 41. . . . Folio 54. Father Posadas remained a prisoner nine days. Folio 55. The declarant eulogizes Posadas very much, and says that Fray Miguel de

Guebara and Father Freytas] were great friends of Don Diego de Peñalosa and both eulogized him in the sermons which they preached; they also praised his actions excessively in indirect words, and condemned those of their prelate . . . everything being motivated by the embargo which the said father commissary had laid on the estate which Don Diego de Peñalosa was taking for his own when it was not his. . . . [Peñalosa said to the declarant:] "Your grandfather, Francisco Gómez, is from Zetubar, and Gaspar Pérez from Flanders." But this Francisco Gómez, her grandfather, now dead, was very well known, and was brought up in Madrid and in New Spain in the house of the Oñates. . . .

[Folio 56. She testifies, concerning María de Barrios, that Peñalosa had ordered this woman brought from] Casa Grande, as it is called, which is one hundred and fifty leagues distant from this villa . . . to live in the palace again, as she had done formerly. [When Peñalosa went away he took her with him in the carriage. All this is from the testimony of Pedro Lucero de Godoy. Folio 58. Peñalosa collected the tributes from the *encomiendas* of Francisco Gómez from seven hundred and twenty-two] tributaries at the rate of one peso each, and from those who belong to the *sargento mayor*, Diego Romero, one hundred and eighteen in number, he collected at the rate of one peso. [Abuses without number are recounted in connection with the *encomiendas* already mentioned.]

TESTIMONY OF FRAY NICOLÁS ENRÍQUEZ, SANTA FÉ, MARCH 15, 1664

[He repeats his declarations previously given concerning the journey to Moqui and Zuñi by the father commissary, and the impediments which Peñalosa caused to be put in his way. He also testifies concerning the possessions of Mendizábal and the imprisonment of the father commissary. Folio 70. He repeats his statements concerning the risks of the journey, and of the journeys between Ácoma and Zuñi and Moqui, and mentions the ambushade which the savages prepared for him (the commissary). Folio 71. All the declarations are concerning the possessions of Mendizábal, the imprisonment of Pedro de Chávez, and of the commissary Posadas; these are details which it is not necessary to repeat here. Folio 77.]

[FOLIO 78.] DECLARATION AND RATIFICATION BY DOMINGO GONZÁLEZ,
MAY 20, 1664

And [he said] that his statement was against General Don Diego Dionisio de Peñalosa Brizeño y Verdugo, former governor of this kingdom.

[FOLIO 79.] DECLARATION OF FRANCISCO ANAYA DE ALMAZÁN,
SANTA FÉ, MAY 18, 1664

[Age, twenty-eight years.] *Alcalde mayor* and *capitán á guerra* of the jurisdiction of Los Tagnos. . . .

Item: He says that at the time when Don Diego de Peñalosa wanted to go from these provinces to the City of Mexico. . . . [Concerning the *encomiendas* of Picuries and Cuarac, confirming what has been said previously.]

DECLARATION OF ANTONIA GONZÁLEZ DE VICTORIA, SANTA FÉ, MAY 23, 1664

[She confirms the interview between Peñalosa and La Aguilera (the wife of Mendizábal) in the church. Peñalosa would have liked to force Teresa de Aguilera.] This declarant heard Juana López de Villafuerte, a resident of this villa, say that Don Diego said that he did not on that night avail himself of the body of Doña Teresa because his parts were injured. [Scandalous occurrences with Peñalosa, and rumors.]

[FOLIO 88.] RATIFICATION BY ANTONIA VICTORIA,
SANDÍA, OCTOBER 7, 1665

[Before Fray Juan de Paz, custodian and commissary. The woman ratified her statements in every respect.]

RATIFICATION BY GERÓNIMO DE CARBAJAL, SANTA FÉ, SEPTEMBER 12, 1665

[Age, thirty-three years.] A resident of Los Cerrillos. *Alcalde mayor* of Los Tanos. . . . [Married to Margarita Márquez. The latter was twenty-six years old.]

DENUNCIATION BY FRANCISCO DE VALENCIA, SANTA FÉ, APRIL 10, 1665

[On the above date Fray Alonzo de Posadas was still functioning as commissary in New Mexico.

Peñalosa sold the declarant furniture which had belonged to Mendizábal, also silver objects, among them a chalice and two vinegar cruets.]

[FOLIO 109.] DECLARATION OF FRANCISCO GARCÍA,
SANTA FÉ, SEPTEMBER 28, 1665

[Before Fray Juan de Paz, commissary. The declarant was a native "of the villa of San Gabriel de Iunque." Age, fifty years. He was living in the jurisdiction of La Isleta. He says that Mendizábal ordered him to make a large carpet for his (Mendizábal's) wife;] and that he paid him for the work sixteen or seventeen pesos and no more, but the cloth and materials were furnished and paid for by the declarant, except half a pound of indigo and something like a pound of brazil wood which he gave him. . . . [When Mendizábal was arrested the carpet was not finished, and Peñalosa claimed it. The declarant also asserts that he had ten *fanegas* of pine nuts in Tajique, but Mendizábal had them taken away from him by Nicolás de Aguilar.]

[FOLIO 111.] DECLARATION OF JOSEPH NIETO,
SANTA FÉ, SEPTEMBER 29, 1665

[A resident of Las Salinas. Mendizábal had eighty-seven *fanegas* of salt in Abó; he left them there, and Peñalosa attached them for his own account.]

RECEIPT BY FRAY JUAN DE PAZ, COMMISSARY OF THE HOLY OFFICE,
SANTO DOMINGO, OCTOBER 9, 1665

[Given to Fray Alonzo de Posadas, a commissary (who had now retired), for the documents relating to this case.]

LETTER OF FRAY ALONZO DE POSADAS TO THE TRIBUNAL,
SANTO DOMINGO, JUNE 7, 1664

[He says:] That it appeared to him proper for a custodian and an ecclesiastical judge to present a petition and report to Don Juan de Miranda, present governor of these provinces and *juez de residencia* against the said Don Diego de Peñalosa. . . .

PETITION AND REPORT OF POSADAS TO THE GOVERNOR, JUAN DE MIRANDA,
1664

[He accuses Peñalosa, repeating what is in the foregoing documents. Concerning the visit to Moqui, he says:] . . . That the said Pedro Manso de Valdes ordered proclaimed in all the pueblos of these provinces that, under grave penalties, no Indian in the provinces should accompany me on my return journey to this *custodia*, although the heathen were at that time at war [with us], and there have occurred at various times and places on that road many deaths of Christian Indians and some of Spaniards. It is to be presumed that his intention was to let me come under such manifest risk that I would lose my life, and our secretary would lose his also, at the hands of the barbarians. Knowing the danger of the said roads, Pedro Manso brought Indians from the frontier pueblos with him; and Don Diego de Peñalosa, while he was yet governor, took, when he went to visit those provinces, twenty of the best soldiers for his guard and escort. Moreover, it is the opinion of the greater part of the kingdom and known to many of the Indians that [the governor] desired and sought to have me and my secretary captured. . . . And he incited some of the religious to write to their superiors, the prelates, which he managed to have done by virtue of his power as governor. . . . He also wanted them to write in his favor, praising his government, course of procedure, and his habits, and to certify that he, Don Diego de Peñalosa, had built two churches in this *custodia*, at his own expense, trouble, and labor, and that he had given many valuable jewels to the church in this villa of Santa Fé. . . . As to the two churches which he says that he built, what I know is that he not only did not build any church at his own cost and initiative, but that he failed to promote the completion of the one which had been begun in the pueblo of La Alameda, whereas I had arranged on my part that what was necessary should not be lacking, and indeed I did not fail, but provided what was essential for its beginnings. What he did attempt to do was to tear down the façade of the church here in the villa of Santa Fé under the pretense of enlarging it, and if I had permitted or concurred with his intention he would have left it torn down, without doing anything else about it. . . .

It happened that at that time the commissary of cavalry, Francisco de Madrid, under orders from General Don Diego de Peñalosa, was conducting to this villa of Santa Fé in chains, under arrest, Captain Don Pedro Durán de Chávez and a nephew of his, Cristóbal Durán de Chávez. They arrived at the pueblo of Santo Domingo, which was on their direct route, and went to stop at the communal house which is near the houses of the natives and fronts on the plaza of the said pueblo. The guards or persons who were conducting the prisoners were so careless with them that Don Pedro Durán de Chávez took occasion to ask an Indian servant of his to pick him up and carry him into the church. The Indian, moved with pity, did so, no person whatever offering any resistance. When Francisco Madrid saw what had happened, and that Don Pedro Durán de Chávez was already in the church, he sent to notify his governor and captain-general, who at the time was Don Diego de Peñalosa. The latter with all diligence sent an order by his secretary of government and war, Juan Lucero de Godoy, to the said commissary, Francisco de Madrid, to take from the church the said . . . Chávez who had sought refuge there. He provided for the purpose a considerable force, and with the order mentioned, Francisco de Madrid and the secretary, Juan Lucero de Godoy, entered the said convent of Santo Domingo after mass on Sunday, August 23, of the past year 1663, taking with them men armed with offensive and defensive weapons. The first thing they did was to notify the father *guardián* of that convent, Fray Francisco de Acevedo, that he must, in the name of the king, our lord, give up and deliver over the Franciscan convent with all the keys thereto, for this was conducive to the service of both Majesties. What then occurred, and what force was used in taking, as they did take, the refugee from the church . . . will appear in the proceedings which were formed concerning the matter. . . .

[Posadas wrote to Peñalosa, who was then in Abó, and the latter replied on August 30. Folio 4. There follow long *autos* concerning this case, and concerning other violent acts committed by Peñalosa. Folio 31. During the imprisonment of Fray Alonzo de Posadas the minister *guardián* of San Ildefonso was Fray Juan Talabán. Folio 31. Peñalosa accused Posadas of inciting revolt in New Mexico. Peñalosa hoped that the religious would come to ask him to set the custodian free, but] as they did not come and attempt to reconcile the two heads of this kingdom in a matter as serious as any that had ever occurred in the *custodia* since its foundation, and seeing that no one moved from his convent, General Don Diego de Peñalosa wrote with his own hand and over his signature a letter to the father preacher, Fray Joseph de Espeleta, in the pueblo of La Isleta, in which he asked the latter to do him the favor not to go to his convent (which is in the province of Moqui) without coming first to see him [Peñalosa] in this villa, because he was afflicted and on no occasion would he esteem more a visit from the father than at that time. Then, speaking with certain religious and some seculars, he let it be understood that he was weighed down, perplexed, and ashamed on account of having arrested me. [The father acceding to his request, on the following day (October 7, 1663), the conference between Peñalosa and the religious took

place in the palace, where the release and liberation of the commissary was planned, as is seen above. Folio 33. Afterwards there was an interview between the governor and Posadas. The former made various charges. Folio 38. The *cabildo* of Santa Fé on May 8, 1664, addresses to Father Posadas a petition, etc.] We ask your paternity, as our reverend pastor and the head of this church, to assist us in appeasing the anger of God by asking pardon for our sins. [There follow various documents concerning the same affair. On May 10, 1665, Posadas was still in Santo Domingo as custodian. . . . On May 6, 1666, Peñalosa was in the secret prisons in Mexico.]

ORDER FOR THE ARREST OF PEÑALOSA, JUNE 16, 1665

[The Inquisitors] said that they ought to demand, and did demand, that Don Diego de Peñalosa be arrested and placed in the secret prisons of this Holy Office, and that his possessions be attached, and a case in matters of the faith be prosecuted against him; thus they voted, ordered, and signed their names.

ORDER FOR SUBSISTENCE, MEXICO, JUNE 8, 1665

They assigned to Don Diego de Peñalosa four *reales* and one *cuartillo* per diem, the four *reales* for his maintenance, and the *cuartillo* for payment of the salary of the purveyor. . . . [The delivery of the prisoner, dated May 17, 1665.]

HEARING, JULY 19, 1665

[Peñalosa asks for clemency and punishment, in case he has been at fault in the faith.]

FIRST HEARING, JUNE 25, 1665

[He is a native of Lima, forty-three to forty-four years of age, and "had been in this city eleven years ago." His father was Alonzo de Peñalosa, a resident of La Paz, and *encomendero* of Huarina and its appurtenant pueblos. He has three brothers and three sisters. The account of his services is somewhat dubious. The Count of Baños⁸⁵ made him governor of New Mexico. He accuses Mendizábal, imputing to him terms of contempt such as he had himself used against the Inquisition.

In the month of April, 1661,⁸⁶ Peñalosa was in Santa Fé, as also were Posadas, Fray Diego de Santander, and Fray Nicolás de Freitas. He makes pretense of much ignorance. He had a little page in his prison. He tells of a dispute between the custodian, Posadas, and Fathers Freitas and Guebara, concerning veneration of the cross, at the end of which Freitas

⁸⁵ Bolton (*Guide*, p. 469) lists Juan de la Leyva y de la Cerda, Conde de Baños, Marqués de Leyva y de la Ladrada, as viceroy of New Spain from 1660 to 1664.

⁸⁶ This may be a miscopy for 1662. According to the testimony of Juan de los Reyes Marchena, on July 15, 1661 (*supra*, p. 166) Peñalosa, en route to New Mexico, reached the well-known mining town of Cuencame, in Central Nueva Vizcaya.

and Guebara both said that they ought to accuse the custodian before the Holy Office. He says:] That the *encomiendas* are the patrimony of his Majesty and not the private property of those who hold them; for they only enjoy the usufruct of them for a time, under the sworn obligation to establish a home, and to attend, with their arms and horses, upon the person of the governor, either with their own services, or, upon occasion of urgency and by permission of the governor, with those of their retainers. The tributes are given to them as a stipend, salary, or pay as soldiers, more particularly in the presidios and on the exposed frontiers, for performance of all kinds of duties pertaining to the royal service, especially that of aiding pueblos of Christian Indians against continuous hostile invasions by the heathen enemy. Repeated cédulas of his Majesty and commands of the viceroys speak of this matter; one in particular of the Duke of Escalona⁸⁷ commands that there shall be precisely this exact number of thirty-five *encomenderos*, for which reason the defendant, seeing that two of them had been made prisoner, thought it fitting to name two trustees to serve in their places. . . .

[He speaks of the persecution by the custodian of various religious] especially of Fray Diego de Santander, Fray Juan de la Ascensión, and Fray Nicolás de Fleitas, and of Pedro Manso de Valdés, lieutenant-general of the defendant. [The governor] resolved to exile the father custodian from those provinces, but, after having begun the execution of this determination with the deliberate purpose of exiling him, desisted from doing so on account of the disturbance which it created, and set aside his decision, for the reason that [the custodian] was commissary of this Tribunal. . . .

HEARING OF JULY 1, 1665

. . . He said that in the past year of 1661, in the month of August, when the defendant was entering the provinces of New Mexico to be governor and captain-general, they told him how, on the day before Corpus Cristi of that same year at about the vesper hour, a religious of the Order of Saint Francis, named Fray Miguel Sacristán, had hanged himself with the cord of his habit, the knots of which he had undone for that purpose. [This occurred] in the pueblo of San Diego de los Hemes, of whose convent he was *guardián*. . . .

[There follows an account of the fears felt by Fray Miguel Sacristán on account of the double baptism, the stolen Host, and the burial of a bundle of rags made to simulate a bastard child of Juan Manso and Margarita Márquez de Cerrillos, his fellow godparent [*comadre*]. The story resolves itself into an accusation against Juan Manso.]

HEARING OF JULY 3, 1665

[Referring to the ceremony in Santa Fé before leaving for Moqui, he says: that it was for the purpose] of asking his Divine Majesty for the success of the journey that he was going to make to the provinces of Zuñi

⁸⁷ Bolton (*Guide*, p. 469) lists Diego López Pacheco Cabrera y Bobadilla, Marqués de Villena, Duque de Escalona, as viceroy of New Spain from 1640 to 1642.

and Moqui; for it was a journey in defense of the faith, and to remove the abuses which had been growing up ever since the time of the government of Don Bernardo López de Mendizábal, namely, the non-attendance of the natives at the teaching of the doctrine and upon the service of the religious and the convents. . . . When the defendant was in New Mexico on his way to visit the province of Las Salinas, certain persons who were with him, among whom he remembers Fray Nicolás de Fleitas, told him that Don Diego de Guadalajara—a native of Oaxaca, a married settler who was then in New Mexico but is now in the kingdoms of Spain and is expected to return on this fleet, according to statements that he has heard—and a son of his, named Don Francisco de Guadalajara, who lives near Chalco, went to the pueblo of Cuarac in Las Salinas with a judicial order—issued under whose governorship he does not recall—and climbed into the convent of the pueblo, sacked the pantries and other offices, and even ate from the chests in the sacristy, from which they took also some ornaments, or vestments and chasubles, which were [afterward] recognized upon Don Diego and Don Francisco de Guadalajara. When the defendant was dining in the convent this matter came up in the conversation, and Father Fray Francisco de Salazar, *guardián* of the convent, said: “It happened in this very house.” He was corroborated by Fray Juan de la Ascensión, Fray Fernando de Velasco, and Fray Nicolás de Fleitas, who were all at the table eating.

[In the year 1663 Fray Alonzo de Posadas pronounced certain censures in the church of Santa Fé] because of some jewels which had been stolen from an image of the most holy Virgin, Our Lady, in the church of the pueblo of Nambé. Within a few days the defendant heard Fray Nicolás Enríquez, *guardián* of the convent of the villa, . . . tell how the jewels had reappeared, and he asked the friar what the ornaments were and in whose possession they had reappeared. Fray Nicolás said that they were a silken toque with Flemish lace, some large corals, a large amber perfume box embellished with gold, two gold rings, and some stones of little value, one of which had not reappeared. . . .

[These articles were shown him by the wife of Pedro Romero, former *alcalde mayor* in Nambé. Fray Nicolás Enríquez said] that there was much still to be said concerning this matter, for some people blamed the woman, while others accused Fray Felipe Rodríguez, *guardián* of the convent of the pueblo of Nambé. . . . [The woman, being interrogated by Peñalosa, answered that Fray (Felipe) Rodríguez had given her the jewels, and that she did not know where they came from.]

[Peñalosa also deposes that when he was in] the convent of the pueblo named Aguatubi in the cell of Father Fray Jacinto Mompeán, *guardián* of the said convent, together with Fathers Fray Joseph de Espeleta, Fray Fernando de Monroy, and Fray Miguel de Guebara, . . . [they talked of cases of scandal against Fray Alonzo de Posadas,] saying that when the latter was *guardián* in the pueblo of Aguatubi, being fearful that a leading Indian of the pueblo, whose name was Sixto, was making trouble with an Indian woman with whom Fray Alonzo had improper relations—the

woman's name, according to the deponent's memory, being Isabel—Fray Alonzo ordered two *capitanes á guerra* to kill Sixto. When they had killed him, the friar feared that they would reveal the crime, and asked one Salazar, a *mestizo* who was *alcalde mayor* in the pueblo, to bring the two captains to swift and summary trial—in accordance with the practices of war—upon some pretext of disobedience, and hang them, which he did. Because of this and other disturbances the father custodian, Xeres, whose [first] name the deponent does not remember, made Fray Alonzo prisoner in the convent of Santo Domingo, whereupon Don Juan Manso, who was governor, being a fellow-countryman and friend of Fray Alonzo, went to the pueblo of Santo Domingo and compelled the custodian, Xeres, to set Fray Alonzo free and give him permission to come to New Spain. The deponent has heard this case recounted by persons other than the religious, namely, Juan Lucero de Godoy, Andrés López Zambrano, and Vicente de Cisneros, settlers in New Mexico.

This defendant also caused the holy Bible to be brought to him from the library of the convent of Sandía, and he kept it for some time. . . .

[Folio 130.] And Elena Gómez, now dead, had an account with Don Bernardo of a hundred odd pesos, there remaining to be paid for complete settlement thirty-five pesos, or *mantas*, these being the same thing in that country. A certain person took them from the *encomienda* of Elena Gómez, which was in the pueblo of Aguatubi, and the defendant demanded them from that person when he took charge of the entire property of Don Bernardo, and held them as it were as a deposit. . . . [He repeats the accusations of robberies of Indian girls in Cochití, Santa Fé, and Taos (numbers 136 to 139).]

[Number 150.] The defendant, with reference to the *encomiendas* of Francisco Gómez and Diego Romero, sent an order for the entire quota of October of the year 1662 to be collected in the pueblo of Pecos, as was done; when the fabrics pertaining to this *encomienda* were brought to the defendant, he kept them, not turning them over to any trustee whatever; these materials consisted of nineteen *mantas* of cotton, forty-four pieces of cloth, sixty-six antelope skins, twenty-one white buckskins, eighteen buffalo skins, and sixteen large buckskins. In the year 1663 half of the tribute was collected in the same manner in that pueblo, in the month of April. It consisted of twenty-nine large antelope skins, forty-two pieces of cloth, twelve buffalo skins, twelve white buckskins, and seven large ones. . . .

[Folio number (?) of question 152.] Not only did the defendant do as has been said with regard to the *encomiendas* of the prisoners, but he made a practice of anticipating the collections, receiving seven hundred and twenty-two pieces valued at one peso each in collections from the revenues belonging to Francisco Gómez, and one hundred and eighteen pieces of the same value from the revenues belonging to Diego Romero, under the pretexts mentioned above; and he delayed the transfer of the title to the *encomenderos* until the time when he was about to come to new Spain.

[Numbers 153 and 154. The case of the *encomiendas* of Anaya, already known.]

[Number 160.] The defendant violated a certain person, having previously had illicit relations with two sisters of the person whom he so violated, which shows how little concern he had for the impediment of affinities. . . .

[Number 168. He says that Peñalosa stole the silver of Sonora which belonged to Mendizábal, and that it weighed] three hundred and ninety-one and one half marks. . . .

[Number 204.] When the defendant was in the convent of San Ildefonso . . . [number 222] he boasted in his conversation of the sins which he had committed, particularly of his sensualities, both of ravishment and incest, and told how he had violated certain persons under the promise that he would assist them; he also [told how] he had his concubine in his own house and family. . . .

[Number 223.] Speaking to a certain person concerning an Indian named Zaiuque, who used to serve in the convent of the villa but is now dead, the defendant said that he had threatened the Indian by an order which he gave him to the effect that whenever the minister should send him with letters for the custodian he should carry them first to the palace. This he did, and the defendant opened and read them and then sealed them again and gave them to the Indian, telling him to take them on, and upon his return to come first to him (the defendant) with the answers, so that he might open and read them, as he did, afterwards sealing them and sending them to the convent for the person to whom they were addressed.

[Number 237. He asks for punishment. This accusation is signed by Rodrigo Ruíz de Cepeda.]

REPLY OF DIEGO DE PEÑALOSA, MEXICO, OCTOBER 22, 1665

I. . . . That the defendant never had the intention of depriving them of the *encomiendas*, for, if he had so intended, he would have done it without appointing their trustees, in conformity with that which his Majesty orders in his cédulas and with the commands of the señores viceroys, [which provide] that there should be the full number of thirty-five soldiers; and [of his having done this] he made his report to this Holy Office, to the señor viceroy, and to the royal audiencia. The tributes from these *encomiendas* were always collected by halves except in the year referred to. . . . And the part thereof which belonged to the royal treasury was collected by the parish priests or by the persons whom the commissary himself designated, and they remitted to the defendant the part which belonged to the said trustees. [The greater part of this reply endeavors to make explanations concerning the attachments (of property). Peñalosa speaks of the pueblo of La Ciénega, whither Fray Nicolás de Freytas went to await Father Posadas when he was coming from Santo Domingo with the *auto* for the arrest of Mendizábal.]

[Number 17.] The defendant said that Juan Varela, *alcalde mayor* of Cochití, wrote to him complaining of Don Juan Manso. . . . [He denies that he had ever used injurious expressions concerning the Tribunal.]

It was said to him that he confessed that he did not consider himself equal in merit to the king, our lord, or to the señores viceroys, but that

while this was so, yet he deemed that he was equal to them in the honors which should be paid him, even though he was only governor and captain-general of fifty men belonging to the off-scourings of the earth, *mestizos*, mulattoes, and foreigners, and though he had no one at all to govern nor deeds of arms to perform, but merely the duty of attending to ordinary merchandising, with nothing else to do. He also might well know that there had been men in charge of that government and many others who would certainly never have been thought of for such positions in stable governments; and he knew from his own experience and from reports from others that they go to the provinces with appointments as governors, but in actual fact they go out to become nothing but small traders, commit injustice, and rob every one under pretense of executing justice.

[The defense of Peñalosa is weak and avoids the principal charge. Part of the answer of Peñalosa follows:] He said that affairs in those provinces were in a state of unexampled irregularity; for instance, in the villa of Santa Fé a man named Francisco López fired an arquebuse at the governor, Don Somebody Argüello, and Don Luis de Rocas [Rosas], when he was governor, whom they held in disrespect and refused to obey. Other such cases have occurred, due to the lack of civil capacity and the evil disposition of the inhabitants of the province, who do not know what respect or justice is. Above all, when such cases as the present one, or others, arise, there is no lawyer to serve as *asesor* or even as notary, nor is there any person who may be asked for legal rulings. . . .

[Number 48. Concerning Indians whom Mendizábal held as slaves they asked him whether they were or were not the property of Mendizábal.] He said that they were not property, for the royal audiencia of Guadalajara has commanded that Indians shall not be sold or enslaved,⁸⁸ and has declared them free, ordering that all those whom Don Juan Manso and Don Bernardo had sold in El Parral, or whom the governor had sold in Sonora, should be placed at liberty, and that those who had bought them should demand the price from the sellers. This royal audiencia of Mexico commanded this defendant to make an investigation and inquiry concerning the Indians whom Don Bernardo had sold, and the defendant sent some reports which he gathered, in which it was shown that Don Bernardo had sold seventy or eighty Indians. . . . Wherefore, imitating the example of the governors of El Parral, he (the defendant) did the same as they did, giving the Indians as free men to other persons to be indoctrinated, informing them that the Indians were free and not subject to servitude. Four or five Indians who were asked by this defendant whether they desired or not to serve Don Bernardo, said that they did, and the defendant sent them under Juan Morán, in the presence of most of the people in the villa. This occurred at the doors of the royal houses. . . .

⁸⁸ With reference to royal orders against Indian slavery that were sent to the viceroy of New Spain and the audiencia of Guadalajara see I:32-35 of this series, particularly note 148, p. 32.

HEARING OF NOVEMBER 26, 1665

[Explanations concerning the attachment of the property of Mendizábal.]

HEARING OF DECEMBER 4, 1665

[Peñalosa] said that he is such a great sinner, and that he was so passionate and so blind that, without contemplating anything but the injury of the father custodian, he resolved to exile him from the provinces of New Mexico, being persuaded that he could do so because he had read certain chapters and precedents in the *Política Indiana* of Solórzano,⁸⁹ which, being poorly understood, he had discussed with Father Fray Nicolás de Freitas, who told him that he could do it. He was urged on by Father Fray Juan de la Ascensión and Pedro Manso de Valdés, and, above all, by the rage which he was in, which blinded his understanding, so that he did that which is stated in this article. [Number 73.]

[Number 76. He confesses to having opened and read various letters addressed to the commissary.]

[Number 83. He says that Mendizábal offered him six thousand pesos] to get him safely through the *residencia*. . . .

HEARING OF DECEMBER 19, 1665

[Number 91. He says:] That he spoke evil of only the father custodian, of Father Fray Tomás de Alvarado, Father Fray Salvador Guerra, and Father Fray Francisco Muñoz, but that all the others on the contrary were very good friends of his. . . .

[Number 95.] After the religious had dined and gone there remained only Fray Nicolás de Freitas, who lives in the house of [the defendant], and Pedro Manso de Valdés, who was the latter's lieutenant. The defendant, being perplexed in his mind, went at midnight to the room of Father Fray Nicolás de Freitas, and, seating himself on his bed, asked him to consider well, as the learned man that he was, whether the defendant had the power to do what they had told him concerning the exile of the said father custodian. Father Freitas replied that he would give him a signed opinion, and would also cause Father Fray Diego de Santander, who was a jurist, to sign it. . . .

POINTS FAVORABLE TO THIS DEFENDANT, AND DIRECTED AGAINST
THE SUSPICION THAT HE IS MARRIED

[He protests his devotion, and enumerates the gifts which he asserts that he has made to the churches of New Mexico. Furthermore he pretends that, during his administration of the territory] he punished an Indian dogmatist who impugned the doctrine of the religious and taught horrors.

He hanged an Indian who had killed Fray Somebody de Miranda, *guardián* of Los Taos, three [other] Spaniards, and seventeen Indians,

⁸⁹ This book is cited in I: 20, note 22, of this series.

burned the church and convent, destroyed the saints, and profaned the priestly vestments and holy vessels, and had remained without punishment by the neglect of the governors.

He visited all the pueblos, they being forty-two in number (omitting two very small ones) to admonish and command the Indians to attend frequently upon the teaching of the doctrine and divine worship, which were almost prostrate when he went [to govern]. He asks that some of his *autos de visita* be read, all of the originals of which are with his papers, so that his zeal may be known. Moved by this zeal he caused to be reduced to our Christian religion the Taos Indians who had been in revolt for twenty-two years, and were living as heathen among the people of El Cuartelejo, on the frontier of La Quivira. He reduced thirty-three [pueblos?], having caused El Cuartelejo to be laid waste for more than two hundred leagues beyond New Mexico.⁹⁰

He reduced to peace two heathen nations, the Cruzados and the Coninas, and made them settle by assembling them in two large pueblos in the province of Moqui; there were certificates from Father Fray Josef de Espeleta among the defendant's papers, of those who had already been baptized, who, he thinks, numbered thirty-eight or twenty-eight. He also by his example made a beginning of the devout practice of kissing not only the robes of the priests, but their hands as well, a thing which those witless people disdained to do, or, if any of them did so, it was half-heartedly, on account of the bad example set by other governors.

HEARING OF DECEMBER 10, 1665

[Exculpation of Pedro Manso. Number 120.] He said that an Indian painter named Francisco Pachete told him to ask for the Bible mentioned so that he could copy from it some medallions, as he had already copied others. . . .

[He attempts to exculpate Father Freitas of the accusation made on account of the sermon already alluded to. Peñalosa always defends himself against allegations of want of respect for the Tribunal, and against accusations of ravishments. But it is true that he weakens in his arrogance and gradually becomes humble. In the matter of the royal standard, he asserts that it was only his guidon which as governor he caused to be raised three times, first when he entered Santa Fé, afterwards when he went to Moqui, and the last time when he set out for Mexico.]

[Number 138.] He said that at the request of Father Fray Tomás de Alvarado and Fray Fernando de Velasco he took charge of rearing a little orphan *mestiza* girl from the pueblo of Zia, whom her uncle, a captain of the Indians, offered of his own free will. The defendant offered to rear her, sent for her, and placed her to be reared with a daughter of his own, where he knew that she would be well brought up. The father commissary objected to this because he had asked the Indian to send the girl to a relative of his, the wife of one Don Bartolomé de Pro. Concerning the

⁹⁰ This expedition may have some bearing on Peñalosa's claim regarding a visit to La Quivira; see note 81, *supra*.

other girl, also an orphan from Los Taos, Juan Luxán, *alcalde mayor* of Los Taos, told the defendant that it would be a charitable deed to rear her, so he asked some of her uncles for her and they gave her to him to bring up. "This we did in order to do them good rather than because we had need of them, for they were only children. . . ."

[Concerning the sale of the effects of Mendizábal, number 143] he said that it is true that Cristóbal de Anaya owed him the forty or forty odd pesos. . . .

[Number 144.] He said that most of the religious were friendly with him, and that only the four whom he has named . . . were the ones with whom he had unfriendly relations. . . . [The remainder consists of exculpations and explanations of his conduct in affairs concerning Don Bernardo de Mendizábal. Now he becomes more humble, and feigns ignorance.]

HEARING OF DECEMBER 11, 1665

[Number 154.] For the complete settlement of his finances in New Mexico there are still owing him more than three thousand and some odd pesos, the collection of which he had entrusted to Don Juan de Miranda. . . .

[Number 160.] What happened was that when he had just arrived in the pueblo of Santo Domingo in New Mexico he had carnal knowledge of a married woman, and of a single woman in the villa of Santa Fé, and afterwards, when he saw them together in the church, he asked Juan Lucero if those women were very good friends. Lucero answered that they were sisters. That day [the defendant] was in the company of Fathers Fray Salvador Guerra and Fray Nicolás de Freitas, who were at that time his best friends, and he told them of the case, naming the persons. It so happened that one of the women was the friend of Father Guerra and the other was the friend of Father Freitas. Each of them went to verify his suspicions and the women said, to exculpate themselves, as those of their class are wont to do, that it was a lie and that the defendant had had relations with another sister of theirs. The latter being accused by the fathers, said, in order to exculpate the other two sisters, so that they should not lose the maintenance which they received from the two *guardianes*, that [the statement] was due to the boastfulness of this defendant, for it was she with whom he had had relations. This was the way in which the affair became known, the case being left a matter of varying opinions. . . .

[Number 170.] . . . In his title as governor he was strictly charged to settle the villa of Cerralvo, permission for which had already been granted. Many difficulties having arisen, he decided upon his own responsibility to recur to the pacification of Quivira, and attempted to found a villa in the midst of the settled region, in a valley called Atrisco, this being the best site in all New Mexico. He drew up an order to this effect, and twelve or fifteen persons who offered to make the settlement signed it with him on Pedro Varela's farm. . . .

[Number 213.] He said that it is true that he asked the father custodian to go with him to the villa, and that he required him to do so, it might be said. On the way the entire conversation was concerned with settling and giving ecclesiastical ministers to the Apaches of Jila, who were asking for baptism. Nothing else was talked about. . . .

DECLARATION BY PEÑALOSA CONCERNING CERTAIN THINGS. (UNDATED)

[Intrigues of Fray Nicolás de Freytas against Fray Alonzo de Posadas. Peñalosa confesses to a combination against Posadas, contrived by Freytas and Fray Miguel de Guebara] and that it was very true that the father commissary had made and was then making, as commissary of the Holy Office, accusations against the defendant and his friends, namely, Father Freitas, Father Guevara, Pedro Manso, Doña María de Barrios, concubine of the defendant, and Doña Catarina de Arriatia, her mother. Casting about for a remedy that could be applied, in time, the two [Peñalosa and Guevara], consulting together, animated by their hatred and ill-will for the father commissary, hit upon a remarkably evil device which originated with the defendant. This was to compose, in musical notation (in which Father Guevara is highly skilled), a letter in cipher as if written by the father commissary to the father secretary, Fray Salvador Guerra. This letter the defendant was to send to the *fiscal*, Don Manuel de Escalante, so that he would show it to the señores inquisitors, and it would then serve as cause for the father commissary-general to remove Father Fray Alonzo de Posadas from his office. Father Guevara sat down to write, and the defendant to dictate, and they made a cipher composed of the five vowels, five consonants, some digits, and other characters which looked like printing. The contents of the letter were in substance words to the effect that the bearer was bringing twelve pounds of cacao and a bundle of vanilla; there was also the cipher in which the reply was to be written, and the advice that the letters [to be used] might be copied from the lists in the sacristy. [There was also the statement] that, in view of what had been and was to be done, the writer hoped to see Don Diego and his friends with Don Bernardo. Then came the date, and the signature, which said: "Your brother, Fray Alonzo." The defendant then sealed the letter with a wafer with a key of the cipher inside, and ordered a servant to put twelve pounds of cacao and a bundle of vanilla into a basket which is called a *tonpilate*. When the wafer was dry the defendant opened the latter, and, pretending that an Indian had brought it by mistake with the basket of cacao, he read it in secret to Father Fray Nicolás de Freitas, imposing silence upon him. He did the same with Juan Lucero, and asked him to write out in plain characters what the cipher contained. But on the second day thereafter, the defendant, reflecting that it would be better to defend himself by using the truth than by such a falsehood, called Father Fray Miguel de Guevara and told him that the method they had chosen was not a good one, and that he had resolved to burn the letter, the cipher, and the plain transcript of the letter, and forget them, leaving his defense to the truth. The father agreed with this opinion, and the whole thing was burned. And although this evil scheme was not put into effect, the defend-

ant admits it because he fears that inasmuch as Father Fray Alonzo de Posadas has given up his office, Father Fray Nicolás de Freitas (who did not know that the papers were burned) might, being a religious who is very bold of speech and an enemy of the father commissary, divulge the secret in that land of restricted area, and that this might be the cause whereby Father Fray Alonzo de Posadas would suffer in reputation for a fault which he did not commit. This the defendant declares for the relief of his conscience, as one who was without God, and has come before this Holy Office denouncing himself as rash and false in this matter. For this, and for the other faults which he has confessed and declared, he repentantly asks clemency, beseeching this Holy Tribunal to look upon him as a man exposed to the greatest misery whom his Divine Majesty has at times permitted to have a great fall in order to make him know in his reform that the remedy is brought about by His powerful hand. He has faith that so holy a tribunal will concede him mercy, so that, being reborn to a new life, he may persevere to its end, complying with the obligations of a reformed Catholic Christian. . . .

[Notwithstanding this confession and the humble spirit which he seems to show, Peñalosa adds that the Tribunal] must have perceived that the witnesses from New Mexico, both regulars and seculars, have become the common enemies of those who govern by leaving their posts, and that their minds, moved in some cases by malice, in others by ignorance and inconstancy, and in nearly all cases by an easy compliance, pay no attention to the truth nor to the gravity of the matters concerning which they make deposition, but heed only the desire or opinion of him who has authority in both branches of the law. The father commissary and Father Fray Salvador Guerra, his secretary, being declared enemies of the defendant, though they had previously been great friends (and these are the worst of enemies) must be considered untrustworthy witnesses, if not in all points, at least in many. . . .

[According to the *auto* which follows, the preceding declarations were written June 13, 1666. Peñalosa asked for a surgeon to examine and treat him. Two *cuartillos* of wine were ordered given to him on July 17, 1666.]

STATEMENTS OF THE WITNESSES WHO MAKE DEPOSITIONS AGAINST
DON DIEGO DE PEÑALOSA BRICEÑO Y VERDUGO

[Among other things, one witness declared that Peñalosa was in the convent of Sandía] in May of 1662. . . . [In number 18 one witness says that the allegation of Peñalosa that he had given credit to the husband of Elena Gómez in Moqui for the sum of forty pesos, is false. The defendant denied the jurisdiction of the pope in the Indies in spiritual matters, saying that he had subdelegated it to the king.]

[Number 17. One witness says:] that he had heard it said generally that Don Diego, when he was governor, ordered some Christians of the pueblo of San Ildefonso to shoot with arrows a religious whom the witness names as the minister and *guardián* of the pueblo. [This is all a review and condensed recapitulation of the preceding accusation and depositions. Concerning this publication Peñalosa asserts (among other things) in

number 7] that he had to go, in the most rigorous time of winter, to the provinces of Moqui to quiet some pueblos which had become disturbed by the distraction of unnatural crime, and to punish and remove the errors which a certain dogmatist named Andrés Payoni was teaching among the recently converted Indians. . . . [This relates to the ceremony in Santa Fé with the paten and the sacrament. At the end they say to him:] And the inquisitor- *visitador* ordered him given a copy and transcript of the publication, and to make his answer and allegation against it. . . . But Don Diego said that he did not need a transcript of the said publication, but that it should be communicated to his attorney. [He asked for a confessor, and for various articles of his apparel, which were given to him.]

SENTENCE, FEBRUARY 3, 1668

We must and do command to be reprimanded severely in the audience chamber of this Holy Office, him who has been accused and testified against; and we order that to-day, upon which this our sentence is pronounced, he shall be brought forth for an *auto de fe* as a penitent present in the body, without girdle or hood, with a wax candle in his hands, and that while he is thus standing this our sentence and his deserts shall be read to him, and he shall then abjure the slight suspicion which is proven against him by the testimony, in which he is found and continues to be slightly suspected. Then shall follow the mass, which shall be said without his humiliating himself, except he do so from the time of the recital of the *sanctus* until after the most holy sacrament is consumed. During the reprimand there shall be present the persons to be designated; and the celebrant of the mass shall consecrate the candle. And we condemn the defendant and fine him in the sum of five hundred pesos, which we apply to the chamber of the royal treasury of this Holy Office. We also deprive him perpetually of the right to hold political or military offices, and we exile him from all these kingdoms of New Spain and the Windward Islands forever. And we command that this sentence shall be executed within thirty days next following after its pronouncement.

ACCOUNT, 758 PESOS, 6 REALES, 6 GRANOS. MARCH 15, 1668

[The attachment on his effects was removed, but Peñalosa did not observe the order to depart within thirty days, under the pretext of lawsuits; and he asked that] he might leave someone empowered to collect the amounts due him, for his assets could not be adjusted for a long time; and his liabilities were so numerous that he could not await the conclusion of the cases concerning the *real hacienda* which were pending against him, and when any one of them is decided its execution may be effected through his attorney. . . .

LETTER FROM DON NICOLÁS DE LAS INFANTAS, SEPTEMBER 19, 1668

[There were many suits against Peñalosa.]

TESTIMONY OF FRAY NICOLÁS DE ECHEVERRÍA,
SANTO DOMINGO, MARCH, 1666

Some three years ago, more or less, when the denouncer was in the convent of the villa of Santa Fé, the father *guardián* of Taos, who at the time was Fray Andrés Durán, came to him and told him that Don Diego de Peñalosa, who was then governor of these provinces of New Mexico, had said to him, in speaking of the Indians of the pueblo under his administration, that he was not to punish the Indians for being absent from mass on feast days, the minister having no obligations to compel them to attend mass, for going to hear it was optional with them; and the obligation of the minister was only to ring the bell for mass, whether they came or not.

TESTIMONY CONCERNING THE CONSTRUCTION OF CARTS AND WAGONS,
NOVEMBER 24, 1661

[Peñalosa says that Mendizábal had many (thirty-eight) wagons built by the Indians, without paying them. Mendizábal denies this, and says that there were in Sandía thirteen wagons and carts which the Indians claimed as their own.]⁹¹

*Autos sent from New Mexico by Fray Juan Bernal and others against
Cristóbal de Anaya Almazán.*⁹² [1665-April 1, 1669]

[FOLIO 532.] LETTER OF FRAY JUAN BERNAL TO THE TRIBUNAL,
SANTO DOMINGO, APRIL 1, 1669

With this letter I am sending you the original of a report . . . made against Cristóbal de Anaya Almazán, who has been arrested by the Holy Office of this City of Mexico. When he came to these provinces of New Mexico, in the year 1665, by command of your most illustrious lordship, he retracted in the church of Sandía some statements that he had made, and as a result the father commissary, Fray Alonzo de Posadas drew up an *auto* concerning what Cristóbal de Anaya had spoken of and said. In this *auto* the father commissary, Alonzo de Posadas, cited several persons. One of these was Captain Domingo López de Ocanto, a Spaniard, but a man who [joined] in a letter written by the residents of the villa against the honor of the religious, making deposition to very indecorous things about them. The captain signed the letter, but said openly during an illness that he had signed it falsely and that he asked pardon. Another corroborating witness is the *sargento mayor*, Bartolomé Romero, a truthful man and a Spaniard. Another witness is Captain Diego López Sambrano, a half mulatto, a man of very little intelligence. Another witness is Captain Gerónimo de Carbajal, a Spaniard, and a virtuous, honest young man. Another witness is Doña Margarita Márquez, a virtuous Spanish woman and a good Christian. Another witness is Pedro Márquez, a Spaniard, and a youth of good repute. . . . The denunciante in this report is Father Fray Nicolás

⁹¹ Ad. F. B., Mexico, Sept. 20, 1912.

⁹² A. G. M., Inquisición, vol. 666.

de Freitas, the minister *guardián* of the convent of Santo Domingo, and custodian of this *custodia*. He is of well-known apostolic zeal. Another witness is the father preacher, Fray Francisco Muñoz, *guardián* and minister of the convent of Sandía. Another witness is Captain Francisco de Ortega, a mulatto, but a very truthful and entirely satisfactory man. Another witness is the [lay] brother, Fray Rafael de Santa María, a religious and virtuous man of excellent character. Another witness is Fray Blas de Herrera, a lay religious, an old man, who speaks very truthfully. The other witness is Captain Ambrosio Saez; he is a Spaniard, a very careful youth, and very truthful. Another witness is the father preacher, Fray Nicolás Enríquez; he is now dead. The other persons cited in this report did not give their testimonies; they are: Captain Andrés López Sambrano, because he is apparently a man of little conscience and there is little satisfaction to be had from him because he is the brother-in-law of the person denounced and is very friendly with him; neither were testimonies taken from (two women who were relatives of Anaya) for they have communication with him and their farms are near his, and it was not possible for me to summon them or go to them, because Cristóbal de Anaya hates and wishes evil to the ministers of the Holy Office since they arrested him. . . . And the truth is that if I had called these women to obtain their [folio 533] testimonies, Cristóbal de Anaya would know it and he would have obliged these relatives to break the oath of secrecy, for he is a man of little shame and without fear of God. Nor was the testimony of his brother, Francisco de Anaya, received, for he is another such a one, and lives in the same house. Father Fray Diego de Santander's testimony was not received because he went more than two years ago to the City of Mexico and died there. The testimony of Don Fernando Durán de Chaves was not taken because he was already dead. . . .

Fray JUAN BERNAL.

[FOLIO 534.] DECLARATION OF CRISTÓBAL DE ANAYA,
SANTO DOMINGO, OCTOBER 21, 1667

And I say that in the year 1665 I came from the City of Mexico in company with the *sargento mayor*, Don Fernando de Villanueva, who was coming as governor of these provinces. When we reached the villa of Santa Fé . . . three days after he arrived and had taken possession of the government, Don Fernando de Villanueva gave commission and nomination to the declarant as provincial . . . of the Santa Hermandad, so that he might work at clearing up the country and might carry the property of the governor out of the [province]. This he has done; but in this year of 1667, when the declarant returned from El Parral, whither he had taken a quantity of property, having reached these provinces on his return from this journey on the twenty-fourth of September of the same year, 1667, Juan Lucero de Godoy, secretary of government and war, presented to the declarant . . . an *auto* which contained . . . in substance the following: That the governor, having come to govern this kingdom in the year 1665, had given to him the office of the Hermandad, but, having learned that he,

the declarant, had been sentenced in the pueblo of Sandía, it was no longer possible to confer the office upon him, wherefore he deprived him of it. . . .

[FOLIO 538.] FRAY SALVADOR DE GUERRA, MINISTER OF SAN DIEGO
DE LOS JEMES IN 1665

[Fray Alonzo de Posadas was still in New Mexico as commissary.]

AUTO OF FRAY ALONZO DE POSADAS, SANTO DOMINGO, SEPTEMBER 4, 1665

[Folio 538. He was commissary of the Holy Office. His successor was Fray Juan de Paz.]

[FOLIO 542.] DENUNCIATION BY FRAY NICOLÁS DE FREITAS.
SANTA FÉ, OCTOBER 1, 1665

Before the reverend father *procurador*, Fray Juan de Paz, custodian, ecclesiastical judge, and commissary of the Holy Office, appeared, without being summoned, a religious . . . the minister *guardián* of the convent of Ácoma in this *custodia*, a son of the province of El Santo Evangelio, a native of the City of Mexico. He said that his name was Fray Nicolás de Freitas, and that his age was thirty-one years. [He accuses Cristóbal de Anaya.]⁹³

*Autos sent by Fray Juan Bernal, commissary of the Holy Office of New Mexico, against Bernardo Gruber.*⁹⁴ [January 19, 1667–September 1, 1670]

[FOLIO 373.] LETTER OF FRAY JUAN BERNAL TO THE TRIBUNAL,
APRIL 1, 1669, FROM THE CONVENT OF SANTO DOMINGO

With this packet of documents is the original of a report (a copy of which is retained) made against Bernardo Gruber, a native of Germany and a resident of the mines of Sonora, who came to these provinces of New Mexico to sell merchandise and other trifles which this kingdom lacks. This Bernardo Gruber, when I reached these provinces, I found to have been imprisoned in the jurisdiction of Sandía by order of the father commissary, Fray Juan de Paz. He was confined on the hacienda and in the house of Captain Francisco de Ortega in one of the safest rooms in the house, with a guard over him. He had been a prisoner ever since the nineteenth of April of the year 1668, but for lack of opportunity the father commissary, Fray Juan de Paz, has not sent him to the Holy Tribunal; and at present it is almost impossible to send him, for this kingdom, most illustrious Sir, is nearly exhausted from suffering two calamities which were enough to put it out of existence, as it is even now hastening to its ruin. One of these calamities is that the whole land is at war with the

⁹³ Ad. F. B., Mexico, Aug. 15, 1912.

⁹⁴ A. G. M., Inquisición, vol. 666, folios 372-416.

widespread heathen nation of the Apache Indians, who kill all the Christian Indians they can find and encounter. No road is safe; everyone travels at risk of his life, for the heathen traverse them all, being courageous and brave, and they hurl themselves at danger like people who know no God nor that there is any hell. The second misfortune is that for three years no crops have been harvested. In the past year, 1668, a great many Indians perished of hunger, lying dead along the roads, in the ravines, and in their huts. There were pueblos (as instance Humanas) where more than four hundred and fifty died of hunger. The same calamity still prevails, for, because of lack of money, there is not a *fanega* of corn or of wheat in the whole kingdom, so that for two years the food of Spaniards, men and women alike, has been the hides of cattle which they had in their houses. To make them edible they toast them, and then eat them. And the greatest misfortune of all is that they can no longer find a bit of leather to eat, for their herds are dying. This I tell you, most illustrious Sir, to show the impossibility of sending this prisoner until the wagons go to that city, which will be in the month of November of the present year. At that time he can go, safe from the dangers of this kingdom as well as those on the road between El Parral and Zacatecas, provided His Divine Majesty sends supplies enough so that food can be bought for his maintenance. For by that time I shall have your reverend illustrious lordship's order (by the hand of the bearer of the present letter, a religious named Fray Blas de Herrera, of the Order of my seraphic father, Saint Francis, or else by the hand of a man named Francisco Domínguez de Mendoza, who went to carry to the royal audiencia the [papers of the] *residencia* of General Don Fernando de Villanueva⁹⁵) as to what I am to do, both concerning the person of the prisoner and the goods, which your most illustrious lordship will see listed on the third sheet, which refers to his arrest and his possessions. The denunciante in this information [folio 374] is Captain Joseph Nieto (a mulatto, but a truthful man and a good Christian). One corroborating witness cited, Francisco García Nieto by name, had no declaration taken from him because he is a boy ten years old, a *sambagigo*,⁹⁶ who would not have kept a secret because of his little sense. Another witness is Juan Nieto, also a *sambagigo*, but apparently a good quiet boy. Another witness is Madalena Montaña; I took no testimony from her because she was already dead. Another witness is Lucía López de Gracia, a good and virtuous Christian woman, a *mestiza*. Another witness is Juan Martín Serrano, a *mestizo* and a quiet boy of good reputation and fairly reliable. Another denunciante in this information is the father preacher, Fray Nicolás de Villar, the *guardián* of the convent of San Gregorio de Abó.

⁹⁵ According to his own testimony ("Certified copy . . . of the demand and complaint made by General Fernando de Villanueva . . . concerning certain charges relating to the case against Generals Don Juan Manso and Don Juan de Miranda . . .," *infra*), Governor Villanueva began the *residencia* of his predecessor, Juan de Miranda, on October 1, 1665. It may be assumed that his administration as governor began on or near that date. Bloom ("The Governors of New Mexico," *loc. cit.*, p. 155) gives the years 1665-1668 as those covered by his administration.

⁹⁶ *Zambaigo*, an Indian and Chinese half-breed.

Another witness is Captain Cristóbal Olguín, a Spaniard, a good Christian and a truthful man. Another denunciante in this information is Fray Joseph de Arias, a lay religious of very good example. Another witness is Father Joseph de Paredes, minister *guardián* of the convent of Humanas. Another witness is the father preacher, Fray Tomás de Torres, *guardián* of the convent of San Marcos. Another witness cited in this information did not have his testimony taken because he was dying of fever and his house is in the jurisdiction of Las Salinas and so far distant on an uninhabited road that one could not go there without risk to his life. His name is Sebastián Montaña. Another witness mentioned in this information did not have his testimony taken because he was fighting in the war against the heathen; his name is Salvador Olguín. This is all that I know concerning those cited in this information. Dated in New Mexico on the first of April, 1669, in this convent of Santo Domingo of these said provinces.

Fray JUAN BERNAL.

[FOLIO 375.] DECLARATION OF JOSEPH NIETO.
SANTO DOMINGO, JANUARY 19, 1667

[Before Fray Juan de la Paz, custodian and commissary: Joseph Nieto deposes that he is] at present *alcalde mayor* of the jurisdiction of Las Salinas, and that he is forty-seven years old. He . . . says and declares that on the first day of the feast of the nativity of the past year 1666 when he was in the pueblo of Cuarcac, one day after mass, at about eight o'clock in the morning, he, the declarant, went to the [house of the] commune, and there learned that a son of his, named Francisco García Nieto, a boy about ten years old, and a young man named Francisco Nieto, an uncle of the boy . . . had been in an *estufa* where there were several Indians, and [the young man] had taken an awl and had tried to prick or injure himself with it, but that it in no way harmed or affected him. The declarant asked his son concerning this occurrence, and the latter told him that his uncle had done this thing in the presence of three persons, [himself,] Lucía López de Gracia, the wife of the declarant, and Madalena Montaña. The declarant asked the two latter [persons] if what his son said was true. Then he says his wife told him that she had seen it done . . . as well as other proofs, as for instance that he took a dagger and then a knife, to prick various parts of his body, but that he had not been harmed. When the said Lucía López de Gracia asked the said Juan Nieto how he did it, he said that on that [same] day when Father Fray Francisco de Salazar sang mass in that pueblo Bernardo de Uber [Gruber] had come up into the choir (he is generally called the German; he is a resident of the mines of Sonora, and is accustomed to come to this province with merchandise) and, while the father was intoning the gospel he had written on some slips of paper, saying or giving to understand that whoever should chew one of these papers would make himself invulnerable for twenty-four hours. He was seen to write these papers by Juan Martín Cerrano, who had also heard the words just attributed to him [the German].

When Juan Nieto learned of this, he had asked him for one of the papers and ate it, and had then undertaken to injure himself with the dagger, and when the wife of the declarant took it away from him he took the knife . . . and the awl as well . . . with both of which he had pricked himself without doing any harm. When the declarant learned this . . . he made the case known to the missionary fathers of the convents of Las Salinas, and they counseled him to go at once before the reverend father commissary and make this denunciation. . . . Furthermore, says the declarant, a few days after the feast of the Nativity when he made the case known to the father preacher, Fray Joseph de Paredes, minister *guardián* of the convent of Humanas, in the community house of the same pueblo of Cuarac, the father asked him to have this Juan Martín [Cerrano] summoned. When he had arrived and the three were together in the community house, along with the wife of the declarant, the father asked Juan Martín if he knew or understood the writings. He replied that he merely knew how to make them, because he had seen them; and besides, the said Bernardo de Uber [Gruber] had put them on the wall of his (Juan Martín's) house, [folio 376] saying to him that on an appointed day he would make the actual writings, but that he had never done so. When the father and this declarant asked him to make them, Juan Martín wrote them on the floor, and this declarant looked at them and saw that they were in the following form: + A. B. V. A. + A. D. A. V. + And after he had written them, Juan Martín asked Father Fray Joseph de Paredes if he understood them or could explain them; for he (the German) who made them, did not even understand nor could he read them, although he made them. And furthermore . . . the declarant said that Juan Martín had told him that when he was talking with Bernardo de Uber [Gruber] concerning these things, the latter told him that he had confessed to a religious of the Company [of Jesus], who had asked him for the signs, and that he had not been able to read it either, but he had chided him much and commanded him not to use [the charm] because it was a superstitious and evil thing. This is the truth. . . . [The deposition was ratified.]

[FOLIO 377.] REPLY [TO 2]. JUAN NIETO, NINETEEN YEARS OLD.
CUARAC, FEBRUARY 28, 1668

[He is a native of the jurisdiction of Las Salinas; a *mestizo*. He fully confirms the foregoing denunciation. He says that "the German" wrote eleven slips of paper, and that Juan Martín also wrote. The papers had a cross on them and then these letters "Abna;" then there was another cross, and then the letters "Adna," and finally a third cross.

DECLARATION OF LUISA LÓPEZ DE GRACIA. CUARAC, MARCH 4, 1668

[Folio 379. She confirms the preceding evidence.]

[FOLIO 380.] DECLARATION OF JUAN MARTÍN SERRANO.

IN ABÓ, MARCH 9, 1668

[He confirms the foregoing and says:] that a man named Bernardo de Uberque [Gruber], whom they call "the German," had told him that in his country they make certain writings on the first day of the feast of the Nativity during the time when the Gospel is being intoned, and that if a person eats one of these writings, he becomes so strong that for the space of twenty-four hours after having eaten the said paper he cannot be injured by any sword or bullet whatsoever. [The characters which he wrote were:] + A. B. N. A. + A. D. N. A. +. [Folio 381. The testimony was confirmed.]

[FOLIO 383.] DECLARATION OF FRAY NICOLÁS DE VILLAR, PARISH PRIEST OF ISLETA, MARCH 23, 1668

[A native of the city of Guadiana, forty-five years old. He deposes that Captain Cristóbal de Holguín told him] that a man named Bernardo de Uber [Gruber], of the German nation, had given him a paper with some words and characters on it, and had told him that if he would eat the paper neither the arrows of the Apaches, nor bullets, nor swords, would wound him. [He also told him] that it was customary in his nation, Germany, to use this paper when they went to war. This Bernardo tried out the paper on a boy of the jurisdiction of Las Salinas, who, although they struck him with a knife, was not wounded.

[FOLIO 385.] DECLARATION OF FRAY JOSEPH DE ARIAS, A LAY BROTHER. ABÓ, MAY 23, 1668

[Age, 38 years. He says] that at the beginning of the past year, 1667, when this declarant was in the convent of Santo Domingo in the presence of the father commissary, he saw . . . a man named Bernardo Gruber, whom they commonly call "the German," enter the father commissary's cell and make a complaint to him concerning a religious, named Fray Joseph de Paredes, minister of the convent of San Buenaventura de Humanas. He said that this minister had called him a bad Christian, and other similar names. . . . Being asked by the reverend father commissary whether he requested an audience . . . this Bernardo Gruber said that he did not. Being asked by the reverend father commissary . . . why he had written those words, he replied that he did it because he wanted to make himself invulnerable. Being asked where he had seen them, he said that he had seen them in a little book. Being also asked . . . where he had this book, he said that he did not have it; that he had seen it in his country. Whereupon the said reverend father commissary reprimanded him. . . .

[FOLIO 386.] DECLARATION OF FRAY JOSEPH DE PAREDES.

ABÓ, JUNE 21, 1668

[A native of Mexico; age, 37 years. *Guardián* of the convent of San Buenaventura de Humanas. He confirms the foregoing testimonies. There follow the declarations of Father Tomás de Torres, *guardián* of San Marcos, twenty-six years of age.]

[FOLIO 389.] CERTIFICATION BY FRAY FRANCISCO GÓMEZ DE LA CADENA.
SANTA FÉ, MARCH 22, 1669

I certify that the father preacher, Fray Nicolás del Villar, the denunci-
ant in this case, did not ratify his testimony because he was ill in the pueblo of
Abó in the jurisdiction of Las Salinas, thirty leagues away over the most
deserted roads and in hostile territory, the road [being traversed only] at
the risk of one's life.

[FOLIO 390.] PETITION OF BERNARDO GRUBER

[He complains that Captain Joseph Nieto had deprived him] of forty-
one mules and horses.

[FOLIO 392.] WRIT OF ARREST, ABÓ, APRIL 19, 1668

[By Father Fray Juan de Paz, ordering the *alcalde mayor* of Las Sa-
linas, Joseph Nieto, to arrest Gruber and confine him in chains in the
convent of Abó. They arrested Gruber on April 19, 1668(?). He made
no resistance, although he was armed. They seized him in Cuarac.]

[FOLIO 393.] SEQUESTRATION OF THE GOODS OF GRUBER.
ABÓ, ON THE SAME DATE

[He declared that he had seventeen saddle- and pack-mules, thirteen
horses and mares, three Apache men and women, six pairs of socks, five
pairs of fine stockings, eight pairs of fine socks, two pairs of ordinary
gloves, one pillow of embroidered cloth, two painted buckskins, one sword,
one arquebuse, one knife, a powder belt and a small axe. Item: eighty-
eight large buckskins (*antas*), one tent of fine buckskins, three buckskin
bags, one old riding saddle of his own, another old saddle, one mule bridle,
one halter, seven sets of harness with lassos, *reatas*, and pack-saddle pads.
Then comes a list of those who owe him. The total is ninety-two pesos.
Folio 394. He named as depository of the goods Francisco de Valencia,]
alcalde mayor of the jurisdictions of La Isleta and the pueblos of the Los
Piros. [Gruber was turned over to Captain Francisco de Ortega. Farm of
San Nicolás.]

[FOLIO 399.] RECEIPT OF FRANCISCO DE VALENCIA

Commissary of cavalry, *alcalde mayor* and *capitán á guerra* of the juris-
diction of La Isleta as far as El Paso del Río del Norte (by commission
which I hold from Don Fernando de Villanueva, governor and captain-
general for his Majesty in these provinces of New Mexico.) . . . [June
11, 1668. (Villanueva was still governor.) He says, concerning the horses
etc.,] that he will turn them over when he is asked to give an account of
them, and will hold them safe against the enemy unless it be that they be
taken from the corral, as may happen. . . .

[FOLIO 402.] LETTER OF FRANCISCO DEL CASTILLO BETANCUR TO
DOCTOR JUAN DE ORTEGA. EL PARRAL, SEPTEMBER 1, 1670

And so I say that when I was leaving those provinces for these of El Parral, on the road from the place called Las Peñuelas to El Perrillo, I traveled in the company of four other men. Captain Andrés de Peralta, who is one of those who came with me, went apart to one side of the road and began to shout to me in a loud voice; I went to him and found a roan horse tied to a tree by a halter. It was dead, and near it was a doublet or coat of blue cloth lined with otter-skin. There were also a pair of trousers of the same material, and other remnants of clothing that had decayed. I examined them, and as it seemed that they belonged to Bernardo de Gruber, the fugitive, I made a search which did not result in vain, for I found at once all of his hair and the remnants of the clothing which he had worn. I and my companions searched carefully for the bones, and found in very widely separated places the skull, three ribs, two long bones, and two other little bones which had been gnawed by animals. This, Sir, occurred on Wednesday the thirtieth of the month of July of this present year. It is supposed that an Indian who was traveling with Bernardo Gruber killed him. . . .

[Folio 403. The *fiscal* of the Holy Office orders that the goods of Bernardo Gruber be realized upon] in order that from the proceeds therefrom mass might be said for the soul of the said Bernardo, and that his bones might be given ecclesiastical burial.

[FOLIO 404.] LETTER OF FRAY JUAN BERNAL. [INCOMPLETE
AND UNDATED]

[He says that Gruber fled] through the window on the night of June 22, 1670, and although in the notice which he gave to the governor, Don Juan de Medrano. . . .

[FOLIO 405.] LETTER OF DON JUAN DE MEDRANO MESSIAS, JUNE 28, 1670

[He says that] he has already sent orders to Captain Cristóbal de Anaya to go with eight soldiers and forty Christian Indians to search for them and arrest them; the party is ordered to proceed in pursuit of them as far as El Paso del Río del Norte.

CERTIFICATES OF FRAY JUAN BERNAL, CONVENT OF NUESTRA SEÑORA
DE LOS ÁNGELES DE PECOS

[Concerning the flight of Gruber. June 30, 1670. The Indian Atanasio aided him. They broke a large bar in the window,] and as this boy was entirely . . . he gave him an arquebuse and provided him with five horses and two saddles. . . . [Francisco Ortega notified the *alcalde mayor* of Sandía, Alonzo García,] who lives a short league from the house of the said Francisco de Ortega. [The two fugitives went downstream. Folio 408.] ⁹⁷

⁹⁷ Ad. F. B., Mexico, Aug. 14, 1912.

*Autos sent by the commissary of New Mexico against Francisco Tremiño, who is said to be in the province of Sonora.*⁹⁸ [February 20–July 10, 1670]

[FOLIO 2.] LETTER FROM FATHER FRAY JUAN BERNAL TO THE TRIBUNAL,
JULY 10, 1670

Herewith I send to your most illustrious lordship the original of a report made . . . against Francisco Tremiño, who was in these provinces of New Mexico, and who went to the provinces of Sonora some ten months ago; it is said that he was married in the Nuevo Reino de León. He is a man who swears all day long, and is a desperate character. The denunciator in this report is Captain Joseph Telles Jirón, a Spaniard, and a truthful man. The corroborating witness is Juan Martín Serrano, a *mestizo*, one of the very ordinary men of these provinces. Another corroborating witness is Captain Thomé Domínguez, a Spaniard, a veracious youth; another is Antonio de Abalos, a *mestizo*, and one of the lowest men in these provinces. Another witness is Alonzo Varela, a Spaniard, and apparently a good man. Still another witness is *Alférez* Don Fernando Durán y Chaves, a Spaniard and a youth of good repute, and this is my opinion concerning them. . . .

DENUNCIATION OF JOSEPH TÉLLEZ GIRÓN, ISLETA, FEBRUARY 20, 1670

[Age, thirty-eight years, married.] He says and declares that in the month of January of the past year, 1669, when he was returning from the expedition which was made by some of the settlers of those provinces to wage war against the enemy, one day about noon the witness was going along with the rest, who were talking about the poverty of the land, and he heard Francisco Tremiño say that he was poorer than the devil. . . .

[Ratification before Father Bernal, commissary of the Holy Office.]

[FOLIO 4.] TESTIMONY OF JUAN MARTÍN SERRANO, ETC.,
PECOS, MARCH 9, 1670

[Age, twenty-seven years. He said:] That what he knows is that on the return from the enemy country, where they had gone to punish them, two leagues before reaching the foothills of the Peñol de Ácoma. . . .

[FOLIO 7.] TESTIMONY OF CAPTAIN THOMÉ DOMÍNGUEZ,
PECOS, MAY 16, 1670

[Age, twenty-two years. He said:] That he remembers that when they were coming through enemy country from an expedition that they had made by command of the governor. . . .

[The secretary was Fray Pedro de Ayala, and the other declarations were taken in the convent of Los Ángeles de Pecos. Among those of the clergy present are named Fray Pedro de León, a father preacher, and the lay brother, Blas de Herrera.]

⁹⁸ A. G. M., Inquisición, vol. 616. These testimonies are of little importance; nevertheless, they afford some data worth the trouble to set down.—Ad. F. B.

[FOLIO 11.] DEPOSITION OF DON FERNANDO DURÁN DE CHAVES, ALFÉREZ,
TWENTY-FIVE YEARS OLD

[He was a resident of the jurisdiction of Isleta. He also said] that he remembers that about a year and half ago when they were coming from the expedition which they had made to punish the enemy. . . . [This would put the date of that expedition in the year 1668.]

[Folio 9. Alonzo Varela, *alférez*, testifies that he is a resident of the jurisdiction of Sandía, twenty-four years of age,] and that he remembers that when they were coming from an expedition to punish the enemy, at what place he does not know, for it was the land of the heathen. . . .

[Folio 3. Captain Joseph Telles Jirón puts the date of that expedition] in the month of January of the past year, 1669. . . .⁹⁹

⁹⁹ Ad. F. B., Mexico, July 30, 1912.

CERTIFIED COPY FROM CUADERNO NUMBER 27 OF THE DEMAND AND COMPLAINT MADE BY GENERAL DON FERNANDO DE VILLANUEVA, GOVERNOR OF NEW MEXICO, CONCERNING CERTAIN CHARGES RELATING TO THE CASE AGAINST GENERALS DON JUAN MANSO¹⁰⁰ AND DON JUAN DE MIRANDA,¹⁰¹ HIS PREDECESSORS IN THE KINGDOM OF NEW MEXICO. JUDGE: GOVERNOR ANTONIO DE OCA SARMIENTO.¹⁰² 1665

[Folio 1.] *Señor governor and captain-general*: The captain and *sargento mayor*, Don Fernando de Villanueva, governor and captain-general of the provinces of New Mexico for the king, our lord. I testify that on the twenty-first of the month of October of the past year 1665 I took, by royal order, the *residencia* of Don Juan de Miranda, my predecessor in this government. I sent [the records thereof to Mexico] according to orders, delivering them to General Don Juan Manso, administrator of the wagons of his Majesty, for their greater security, that he might in turn deliver them to the secretariat of his Excellency, the most excellent señor viceroy and captain-general of this New Spain. [General Manso] undertook to do so, and gave a receipt [for the papers] which I am sending by the hand of this authorized messenger. I also gave to Don Juan Manso two packets wrapped in antelope skin; one was addressed to the king, our lord, through Captain Juan Martínez de León, in Mexico; and the two together were addressed to Diego Pérez de Villanueva, a resident of the Real del Parral, who as my agent would forward and deliver them. In the packets were letters to the most excellent señor viceroy of this New Spain, to his royal highness, to the *fiscal* of his Majesty, and to the señores royal judges and other gentlemen, to whom I gave an account of the condition of these provinces and this government.

[I also gave an account] of the criminal suits caused by the commotions and great disturbance and other acts committed by Don Juan de Miranda and Don Juan Manso, in one of which the said Don Juan Manso [folio 2] was sentenced to pay six thousand Castilian ducats to the *cámara* of his Majesty. [I also sent reports] of other things which concern the royal service, the preservation of these provinces, and the royal authority and jurisdiction, which were so greatly outraged by my predecessor. [Don Juan Manso] gave a receipt for this [document], and I am sending the receipt herewith by this authorized messenger. I also gave to Don Juan Manso various articles which he was to hand over in the Real del Parral to Diego Pérez de Villanueva, for the latter to separate and send on to the persons to whom the bundles were consigned and addressed. [Manso] gave a receipt for these, and I am sending the receipt herewith. By a letter which I received from the said Diego Pérez de Villanueva, dated at El Parral, March 13 of the current year, he advises as my agent that he

¹⁰⁰ See note 60, *supra*.

¹⁰¹ See note 84, *supra*.

¹⁰² A. G. M., Provincias Internas, vol. 35.

demanded the above-described packets from Don Juan Manso so that he might send them to the most excellent señor viceroy [folio 2 verso] and to his highness, together with the bills of lading and other papers. But he says that Don Juan Manso refused to deliver them, saying that he had received absolutely nothing for my account, not even a letter or any papers. I have been informed that Don Juan Manso, together with Don Juan de Miranda and Pedro de Valdés and others who were concerned in the suit, opened the packages and the letters to his Excellency and to the *real acuerdo* and the *fiscal* of his Majesty, the [papers of the] *residencia* and all the rest.

In these papers they saw all that I have recounted, and therefore they cannot deliver them, thus [divulging] all the other things set forth therein concerning themselves. As a result of the news of this refusal [to deliver] the packets and letters referred to, passions are excited, and by such acts disturbances in defiance of royal authority are sown, from whence may arise serious impediment to the royal justice. [Folio 3.] Because of all the foregoing as set forth I make this complaint and I send it to the aforesaid Diego de Villanueva, he being a person who has my power of attorney, to appear and present it in my name in the original form, as it should be, before his lordship, the señor governor and captain-general of the provinces of Nueva Vizcaya, or his lieutenant. Before [either of these] I make my complaint, as I can and ought, in civil and criminal form, against Don Juan Manso and the others above named, in the name of his Majesty and as his governor and captain-general. For these are cases pertaining to his royal service, as is apparent from the foregoing, and from the receipts which I send herewith and present with this my complaint, which is the real proof, and there can be no better under the laws. In the name of these laws his lordship, the señor governor and captain-general of the said provinces of Nueva Vizcaya, ought and will be pleased to seize the persons of the said Don Juan Manso, Don Juan de Miranda, Pedro de Valdéz, and all others implicated; and he will sequester their goods and send [their persons] under custody to the royal prison of the court of Mexico, with this my complaint and the inclosed certified copies [of testimony] and such *autos* as his lordship may draw up, remitting them all to his Excellency, the most excellent señor viceroy of this New Spain, and to his royal highness. [This shall be done] at the expense of the estates of Don Juan Manso and the others implicated, so that they may be punished for such criminal acts, and so that his Majesty (whom may God keep) and the interested parties may be satisfied by the condemnations made in his royal name, and my property secured and delivered according to the bills of lading to the said Diego Pérez de Villanueva, who is the person to whom it was remitted, so that he may forward it to the City of Mexico to be placed in the hands of Captain Juan Martínez de León, my correspondent.

All the above conduces to the settlement of the cases cited, since they are, [folio 4] as I have said, in the service of his Majesty. And if the person of the said Don Juan Manso is not in the Real del Parral, his lordship will be pleased to sequester all his goods and place them in deposit pending the judgment and determination by his Excellency and

the *real acuerdo* of Mexico, for his Majesty (whom may God keep) commands that the governors and justices of his kingdoms shall aid each other and give mutual assistance, especially in matters of so great importance to the royal service and the administration of justice. In the name of his Majesty I charge the said governor and captain-general, and in my own name I beseech and supplicate his lordship, to be pleased to entertain this complaint, proved as it is by the aforesaid receipts, and that he do justice in the matter as I ask, as I in turn will always do with those that his lordship may form. I affirmed it with my notary of government and war. Don FERNANDO DE VILLANUEVA. By command of the governor and captain-general. BARTOLOMÉ ROMERO, notary of government and war.

[There follows the copy of a receipt signed by Juan Manso in favor of Governor Villanueva, dated November 29, 1665] at the farm of Captain Luis López. [The receipt says that he received] from Captain Francisco Xavier, for the account of and belonging to the señor captain and *sargento mayor*, Don Fernando de Villanueva, governor, etc., two Christian boys of the Apache nation, one of them ten years old and named Baltazar, and the other eight or nine years old and named Andrés, whom I obligate myself to deliver in El Parral to Captain Diego Pérez de Villanueva, a resident merchant in that mining camp, for the account of the said señor governor and captain-general; furthermore, I received two square packages, [folio 5] one of them more than three inches thick, and the other an inch and a half thick, wrapped in antelope skin and sewn. There are apparently papers in them; the larger package has an inscription which says: "To the king, our lord, by the hand of Captain Juan Martínez de León (may God keep him) in Mexico"; the other is inscribed: "To Captain Diego Pérez de Villanueva (may God keep him) in El Parral." Of this receipt I have authorized two copies, one which is to go [to El Parral] and the other to remain [here]; the one being fulfilled, the other shall be of no effect. For the delivery of the goods mentioned the signer obligates himself with his person and his goods. And I sign it, etc., etc.

[Certificates follow. Governor Villanueva affirms:] I certify that Francisco Xavier formerly held the office of notary of government and war, and that [the document] passed before him; but because of his flight from this kingdom the office is held with my nomination by the *sargento mayor*, Bartolomé Romero, etc.

[Folio 6.] Receipt of Juan Manso for the *residencia* of Governor Miranda, Santa Fé, October 31, 1665. [He appears as] the contractor of the *real hacienda* for the wagons of his Majesty which are now leaving these provinces, etc. . . . [Folio 7. The affirmation of the flight of Francisco Xavier is repeated. But the acknowledgment on the same sheet, dated October 27, 1665, is still certified by Xavier. By this document Manso acknowledges receipt of various effects and of two Apache girls, baptized, the former to be turned over to Diego Pérez de Villanueva in El Parral and the Apache girls to be given to two other persons.]

[Folio 8. Petition of Diego Pérez de Villanueva, dated July 23, 1666, to the governor of Nueva Vizcaya, Antonio de Oca Sarmiento, to take the

said Manso prisoner at once and sequester his goods. Folio 9.] He (Manso) came to this camp more than four months ago.

[Folio 10. The power of attorney of Governor Villanueva to Diego Pérez says that he was on the point of leaving for New Mexico on April 14, 1665. Folio 12. According to this power of attorney, Governor Villanueva engaged in trade, receiving goods from El Parral and sending merchandise from New Mexico, Diego Pérez being his agent and correspondent. Diego Pérez de Villanueva had to pay the freight on these goods, sent either in the wagons or on mules, probably pack-mules. Folio 13. From the *auto* of Governor Oca Sarmiento it is to be suspected that there was interference in favor of Don Juan Manso, for the governor demands that Diego Pérez should attest "the calumny and complaint." Thereupon Diego Pérez demanded the return of the *autos* (folio 13) in order to present them to the viceroy. This threat obliged the governor to order transcripts given to Diego Pérez and to order Juan Manso cited, etc., (folio 15) and afterward, that Manso should deliver to Pérez that which had been intrusted to him. The answer of Manso fills folios 17 to 21, and bears date of October 5, 1666. He denies everything, pretends that Governor Villanueva owes him] more than three thousand six hundred pesos in *reales*, "one thousand and five hundred with which I credited him in the City of Mexico in the house of Francisco de Aspurg, and two thousand pesos in goods which I delivered to him at prices of the City of Mexico, in the provinces of New Mexico." . . .

[Folio 18. He goes on:] What happened in this case was that Don Fernando de Villanueva asked me to give him thirty *fanegas* of salt and fifteen of piñon nuts, which were mine, at the time when he held me and my whole party in detention, not allowing me to leave the kingdom. In order to avoid more losses than have already overtaken me, against which I have also made protests in due time and form, and so that I might repeat them before his Excellency, [I yielded when] he obliged me further to pledge my own estate for the two packages which he gave me. In spite of the above, and of [the fact] that to make up the nineteen *fanegas* of piñon nuts which he demands [there must be collected] the four given to Don Juan de Miranda, which he did not hand over, and two to Father Fray Alonzo de Posadas, which he did not deliver either—of all of which I make a report—and in order to avert complaints and litigations, I state that I am ready to release that which the said Don Fernando de Villanueva delivered to me, upon payment of my freight charges, at the rate of twelve *reales* per *arroba*, which is the current [price]. . . .

[He goes on to say] that Don Fernando de Villanueva, for his part, will always do with me [*illegible*] where he desires to reprimand him, for it is public and notorious that the said Don Fernando de Villanueva has left some of the offices which he has held in the administration of justice in this kingdom of La Nueva Vizcaya and elsewhere, fleeing without having his *residencia* taken for any of them. The last time, a little more than three years ago, he left the villa of Saltillo without awaiting the events (folio 19) which were going to happen to him. . . . [He denies having received packages for the king, etc. and affirms that the accusation against him has

no basis other than that] I have brought action under a commission from the judicial officers of the royal treasury of Mexico against General Don Juan de Miranda for the amount of six thousand pesos which he took from that treasury for his salary. As a result came the sequestration of the pesos which remained in the possession of the said Diego Pérez de Villanueva, who said they belonged to the said Don Fernando, the truth being, as I have verified and proved in the *autos* made for the purpose, that they belonged to the estate of Don Juan de Miranda, and Don Fernando learned of their sequestration. The latter, blind with rage and passion, wrote his complaint, deposing against me in sinister fashion. . . . The [governor] did not deliver to me anything except the *residencia* which he mentions, and I have remitted that to the City of Mexico by the hand of Pedro Manso de Valdés, as is shown by the receipt which he gave me. . . .

[Folio 20. These papers, he says, were turned over to him] forty leagues on this side of the villa of Santa Fé . . . [by Francisco Xavier] and I put them into a chest that was being carried in a wagon. Then I lost them, and have not been able to find them. According to information which I have received the person who found them, thinking that he was doing a favor to Don Fernando de Villanueva and believing that they were from some other persons or religious, delivered them. The said Don Fernando, seeing the troubles that he [I?] had in delivering [the packets] has it in his power to make these difficulties. . . . [In his petition of August 7, 1666, Diego Pérez affirms his accusation and says (folio 23)] they gave to me [him?] the said goods, paying him the freight at the rate of a peso and a half per *arroba*, which he reckoned according to the value here of a *fanega* of salt or of piñon nuts, but this price does not suffice to pay the freight. [In his petition of August 12, Don Juan Manso affirms (folio 26) that Villanueva detained him in New Mexico five months, causing him to lose many mules. The journey from El Parral to New Mexico generally lasted two months.

The continuation of these *autos* offers nothing new. The case was sent to Spain in 1670, and the archives of Mexico yield no light concerning its conclusion.]¹⁰³

¹⁰³ Ad. F. B., Mexico, May 11, 1912.

EXPEDIENTE CONCERNING THE CONQUEST OF NEW MEXICO. SECULAR.
1677-1679 [1680]¹⁰⁴

*The viceroy of New Spain gives account to his Majesty of what has resulted from the succor that he gave to New Mexico, and of what is asked anew by the custodian of it.*¹⁰⁵ [Mexico, June 19, 1679. With this letter there is a certified copy of autos entitled: "Touching upon New Mexico and the succor that was given to it."]

Sir: Your Majesty—whom may God preserve—in your royal cedula of June 18 of the past year of 1678, is pleased to give me your approval for the assistance in men, arms, and horses that were sent by my order in the past year of 1677 to the provinces of New Mexico; and when the royal cedula referred to was made known to the custodian of those provinces, he took the occasion to make a report to me of the successful results that were obtained with this aid. He suggested to me that for the greater security of those provinces fifty more soldiers would be necessary, and that a presidio of this number should be established for a period of at least ten years, they to be armed and paid after the manner and plan that is in practice in the province of Sinaloa. This proposal having been examined by your Majesty's *fiscal* of this audiencia, it has seemed proper to me to suspend its execution for the present, as well as the renewed aid that is requested. I am transmitting to your Majesty the enclosed certified copy of the account and report made by the said custodian of having delivered the succor that I sent him, and that has been mentioned, to the governor of that province. I am sending also a copy of the writing and statement that he has recently made to me, so that your Majesty may be pleased to order them examined, and, in accordance with the state and needs of that province and the good effects that resulted from the aid that I gave it, to order what may be for the best service of your Majesty, whose Catholic and royal person may God preserve, as Christianity has need. Mexico, June 19, 1679. Fray PAIO, archbishop of Mexico. Signed with a rubric.¹⁰⁶

[Council]

Council. On the 16th of October, 1679. To the señor *fiscal*. Signed with a rubric.

¹⁰⁴ A. G. I., 67-3-32. (Guadalajara 138.)

¹⁰⁵ In the Bancroft Library copy of this *expediente* there is, in addition to the above title, the following: "Mexico, to his Majesty, June 19, 1679. Number 16. Received by the fleet on November 9 of that year. Issued in 1680. The archbishop viceroy." The archbishop viceroy was Fray Payo Enríquez Afán de Rivera (1673-1680).

¹⁰⁶ Parts of this *expediente* were omitted from the Bandelier copy; they have been added from the Bancroft Library copy of the same *expediente*. Hereinafter the Bancroft Library copy of this *expediente* will be designated as B.

[*Reply of the fiscal. Madrid, February 7, 1680*] ¹⁰⁷

The *fiscal*, having examined this letter of the archbishop viceroy of New Spain and the enclosed certified copy as well as the letter of Father Fray Francisco de Aieta, custodian and *procurador general* of the province of New Mexico, of the Order of Saint Francis, and the report and certified copy that accompany it, declares that in the matter of the account given by the said Father Fray Francisco de Aieta of having delivered the aid that was ordered to be given to the said provinces, and the good effects that resulted from it, his good work shall be recognized and acknowledged, and, if it please the Council, it shall be ordered that he be thanked. In the matter of the new representation that he made before the viceroy and now repeats to the Council by the said letter, concerning the new aid of fifty more soldiers and the establishment in this villa of a presidio with that number [of men] for a period of at least ten years, they to be armed and paid in the manner that is customary in the province of Sinaloa, although the said archbishop viceroy transmits his request and sends the certified copy of the *autos*, he came to no decision upon it and transmitted it to the Council without giving his opinion. For this reason he [the *fiscal*] asks that the Council shall be pleased to order that the archbishop viceroy make a report on the arguments presented by the said custodian and *procurador general*, and also on those alleged and proposed by the *fiscal* of the audiencia of Mexico in reply to the petition [setting forth] the convenience and necessity of the said new aid and presidio, the expense that it would occasion, the injury that may result if it is not done; and, in case it is done, what means will be most suitable for it and what can be contributed toward the said assistance by the province of New Mexico, and to what amount. Let this report be sent to the Council at the first opportunity, so that in view of it the most advantageous decision may be made. Madrid, February 7, 1680. Signatures.

[*Council*]

Council. February 10, 1680. Let a *relator* review it. Signed with a rubric.

Touching upon New Mexico and the succor that was given to it.
[*Petition of Father Fray Francisco de Ayeta. 1678?*]

Most Excellent Sir: Fray Francisco de Ayeta, of the seraphic Order of Saint Francis, *procurador general* and custodian of the provinces of New Mexico, declares that, as appears from the enclosed records, in fulfillment of your Excellency's orders issued in conformity with the decision of the *junta general de hacienda*, the petitioner took to these provinces the carts that were placed in his charge, together with the people for their

¹⁰⁷ Preceding the *fiscal's* report is the following: "June 19, 1679. The archbishop viceroy gives account of what resulted from the aid given to New Mexico, and what is newly asked for by its custodian, and transmits the enclosed certified copy."

service—that is to say, fifty soldiers and their commander and sergeant, making fifty-two—; one hundred arquebuses; one hundred hilts for swords and daggers; fifty saddles with their bridles and spurs; and one thousand horses. These were requested by the governor, the *cabildo justicia y regimiento*, and the other military chiefs of those provinces as assistance from your Excellency for their preservation and defense against the many hostilities that they were suffering through constant warfare with the common enemy, the mountain-bred and heathen Apache nation, which, having no settled abode, sallies forth to rob and kill in the pueblos and on the roads. The petitioner in fact delivered to those provinces [only] forty-nine convicts, no more having reached the Río del Norte inasmuch as one, who traveled free of fetters because he was suffering from an illness, ran away at El Real de San Joseph del Parral. All these who were thus delivered were paid, except six who ran away before the time came to pay them or to go up to the capitals of those provinces, during the delay that occurred at the Río del Norte because of high water. He also delivered all the other things with which he was entrusted, as appears from the records that he presented, from which your Excellency will see what his sacred Order did for the protection and preservation of the said succor. He therefore requests and petitions that your Excellency will be pleased to declare, in view of the *autos*, that the petitioner has fulfilled his contract in delivering the said succor, so that by virtue of such declaration your Excellency may be pleased to cause to be canceled the written bond which was made by the syndic of the said *custodia* for the security of the said supplies and carts. He requests also that he be given certified copies [of all these documents] so that the prompt and opportune succor which your Excellency, with your great zeal and well known success in the service of both Majesties, afforded those provinces at a time when they were falling into utter ruin, may be made manifest. Besides justice, the petitioner will thereby receive the favor that he expects from your Excellency's distinguished piety. In addition he states, in the matter of the hundred and twenty-six pesos that were not paid to the seven soldiers who failed to receive their pay, for the reason stated—at the rate of eighteen pesos each—that it has been arranged with the syndic to deliver it to the royal treasury as soon as it is ordered that he be asked for it. *Ut supra*.

Fray FRANCISCO DE AYETA.

Decree [of the viceroy. Mexico, September 7, 1678]

Mexico, September 7, 1678. To the señor *fiscal*. Signed with the rubric of the most excellent señor, the most illustrious Don Fray Payo de Rivera, archbishop of Mexico, of the Council of his Majesty, his viceroy, lieutenant governor, and captain-general of this New Spain, and president of its royal audiencia.

Reply of the señor fiscal. [Mexico, September 11, 1678]

Most Excellent Sir: His Majesty's *fiscal* declares that he has examined the petition presented by Father Fray Francisco de Ayeta, of the seraphic

Order of Saint Francis, *procurador general* and custodian of the provinces of New Mexico, and the rest of the enclosed records, by which it is made apparent that the said father custodian conducted in the carts in his charge the fifty soldiers that were sent to the aid of that province, one of whom, named Joaquín de Rojas y Zapata—who was being taken without fetters because of being very ill with epilepsy, which attacked him repeatedly during the journey and so severely that on several occasions he fell from the cart—ran away at El Parral; and that he arrived with all the rest at the Río del Norte after having delivered them, by order of the governor and captain-general, Don Antonio de Otermín,¹⁰⁸ to Don Pedro de Leyba, *maestre de campo general* of those provinces. During the long delay in crossing the river, caused by the high water, six of the convicts ran away, leaving the guard duty on which they had been stationed by the said *maestre de campo* because the place was infested by the enemy. They were called, according to the names on the list, Antonio de Castro, Joseph de La Paz, Joseph Maldonado, Juan González, Antonio de Agurto y Molina, and Nicolás de Barrios. They took with them fifty-seven horses, three arquebuses, and six saddles.

The rest having arrived at the villa of Santa Fé in New Mexico, they passed muster in the presence of the said governor and captain-general, and they were paid cash, in specie, and into their own hands, as appears from the enclosed record signed by the said governor and countersigned by the clerk of government and war of that province. It appears also that while they had stipulated for food for the said people for six months, nine were spent on the way, and the expense of the three months in excess was provided from the alms of the said father custodian and his religious. In order that the frontiers of Cuarac in Las Salinas and those of Senecú in Los Piros, which had been depopulated by the repeated outrages committed by the enemy, might be settled, the father custodian had provided and arranged to place in the convent of Galisteo more than four hundred *fanegas* of provisions, two hundred goats, and forty head of cattle for the support of ten Spanish soldiers and all the Salinas Indians who might be able to make a stand against the enemy; and in the convent of Senecú, which had been rehabilitated through the zeal and efforts of Governor Don Antonio de Otermín, he had placed as many more *fanegas* of supplies, the same number of goats, and sixty head of cattle for the support of the Indians and soldiers who were stationed there. At the capital villa of Santa Fé, for the support of the rest of the troops, he left fifty head of cattle, one hundred and thirty *fanegas* of supplies, twenty deerskin jackets of six thicknesses, with as many more leather shields and suits of armor. Of this he was given a certificate by order of the said villa, and also of having brought in all the rest of the succor of horses, arms,

¹⁰⁸ Otermín "is known solely in connection with his administration as governor of New Mexico from 1678 to 1683, during which time occurred the disastrous Pueblo Indian uprising which resulted in the abandonment of New Mexico by the Spaniards for twelve years. . . ." etc. C. W. Hackett, "Otermín, Antonio de," in *Dictionary of American Biography*, XIV: 89-90 (New York, 1934).

and ammunition, as appears by the record presented by Blas Griego, clerk of the council, and confirmed by the signatures of the governor and of Marcos de Heras, clerk of *gobernación*, and of Lázaro de Misquía, assisting witness.

In regard to the offer of the said father custodian to pay into the royal treasury of this court one hundred and twenty-six pesos, the amount of the salaries of the seven soldiers who fled, an order should be given so that the royal officials may receive them and note them down in the books in which the warrant for the said succor is recorded. In view of the fact that, as appears in the records presented, the said father custodian and the chief commissary, Lorenzo Garro, have fulfilled their obligations, and that the said soldiers ran away after they had been delivered to the *maestre de campo* of those provinces, if your Excellency please it might be declared that the contract has been fulfilled, and that the written bond of security executed by the syndic of that *custodia* for the carts should be canceled. In recompense for having supported the soldiers for the three months spent on the journey over and above the six agreed upon, and for having provided the frontiers of Cuarac and Senecú, as well as the soldiers who are remaining in the villa, with the supplies and arms already referred to, all at the expense of the savings of the religious from their alms, if your Excellency please it might be ordered that thanks be given to the said father custodian, so that he will be encouraged to continue to serve both Majesties as he has done hitherto. In addition, as a grave offense was committed by the six soldiers who ran away, alike in deserting the military guard and sentinel duty upon which they had been placed by their *maestre de campo*, and in breaking the banishment and delivery to which they had been condemned by the royal criminal court, your Excellency should be pleased to order that a memorandum be drawn up concerning the six fugitives and given to the royal court, so that with this notice steps may be taken to learn whether they have returned to this city or whether it is known where they are, so that they may be punished according to the law. Your Excellency will decide in regard to all this and will order as you may think best. Mexico, September 11, 1678. Licentiate Don MARTÍN DE SOLÍS MIRANDA.

Decree [of the viceroy. Mexico, September 15, 1678]

Mexico, September 15, 1678. To the *junta general*. Signed with the rubric of his Excellency.

Junta [general de hacienda. Mexico, September 28, 1678]

In the *junta general de hacienda* of September 28, 1678, which the most excellent Señor Maestro Don Fray Paio de Rivera, archbishop of Mexico, viceroy, governor and captain-general of this New Spain held,—there being present the Señores Doctor Don Andrés Sánchez de Ocampo, Don Juan Francisco de Montemaior de Cuenca, Don Gonzalo Suárez de San Martín, Don Fruttor Delgado, Don Juan de Garate y Francia, and Don

Diego de Valverde Orosco, *oidores* of this royal audiencia; Don Juan de Arechaga and Don Jacinto de Navigas Campuzano, *alcaldes del crimen* therein; Don Bartolomé de Estrada and Don Francisco de Prado y Castro, *contadores* of the *tribunal de cuentas* of this New Spain; and *Factor* Don Fernando de Diza y Ulloa, Treasurer Don Antonio del Rozal, and *Contador* Don Sebastián de Guzmán, royal officials of this court—the petition of Father Fray Francisco de Ayeta, religious of the Order of Saint Francis, *procurador general* and custodian of the provinces of New Mexico having been examined, it was resolved that the measures requested by the señor *fiscal* be adopted, and they signed it with rubrics, with his Excellency.

Attestation [of Blas Griego. Santa Fé, December 31, 1677]

I, Blas Griego, clerk of the *cabildo justicia y regimiento* of this villa of Santa Fé, capital of these provinces of New Mexico, give oath and testimony of the truth in so far as I am able and in due legal form, that on the 31st day of the month of December of this present year, the said *cabildo* being assembled with the señor captain, Don Antonio de Otermín, governor and captain-general of these provinces, assisting and presiding, and there being present most of the inhabitants, who had been summoned for the purpose, the very reverend father, Fray Francisco de Ayeta, *procurador general*, custodian, and ecclesiastical *juez ordinario* of this holy *custodia* and province of the conversion of San Pablo of this New Mexico, presented a petition, the content of which, together with the *auto* issued for it, is literally as follows:

In the villa of Santa Fé, capital of this kingdom and province of New Mexico, on the 31st day of the month of December, 1677, before the *cabildo justicia y regimiento* of the said villa, it [the petition] was presented by the very reverend father preacher, Fray Francisco de Ayeta, custodian and ecclesiastical *juez ordinario* of these said provinces and their *procurador general*; and it was read in open *cabildo*, most of the inhabitants of the kingdom being present and the señor captain Don Antonio de Otermín, governor and captain-general for his Majesty, presiding.

Petition [of Father Fray Francisco de Ayeta. Undated]

I, Fray Francisco de Ayeta, of the regular observance of our seraphic father, Saint Francis, preacher, custodian, and ecclesiastical *juez ordinario* of these provinces and the *custodia* of the conversion of San Pablo of New Mexico, and *procurador general* in the two jurisdictions, make the following preliminary report in observance of my obligation and of that which concerns my holy Order, with regard to the complete fulfillment and execution of the royal will of his Majesty—whom may God preserve—in [delivering] the succor which he gave from his royal funds and treasury to this kingdom, as a result of my representations and activities in the court of the City of Mexico. Because of the complaints presented

by the governor and the *cabildo justicia y regimiento* at that time in office, and by me, who, as their steward, was aware of the perilous state in which those provinces were from the constant attacks of the hostile Apaches, who, carried away by their voracity and insatiable fury, did not spare to the inhabitants their temples, images, or any of the ornaments or jewels for divine worship, of which they made a shameful trophy—and these ruins to-day bear witness and testify to their misfortunes—[in response] to these outcries his Majesty, with Catholic zeal, opened for the relief of these provinces his royal treasuries.

By agreement and concurrence of the most illustrious, very reverend, and most excellent señor archbishop, Don Fray Paio Enriques de Rivera, archbishop of Mexico, viceroy, governor and captain-general of New Spain, and president of its royal audiencia, with the approval of the señor *fiscal*, the *real acuerdo*, and other tribunals of the *real hacienda*, they issued warrants and paid the sum required for one hundred new arquebuses with locks, one hundred new hilts for swords and daggers, fifty saddles, and three thousand pesos for a thousand saddle horses, at the same time granting to me fifty men, whom I took from the City of Mexico provisioned at the expense of his Majesty. These, with all the rest of the succor mentioned, I delivered and placed intact within these provinces, with the exception of Joaquín de Rojas Zapata, one of the said fifty men, who ran away at El Parral after having his fetters loosened because of an attack of epilepsy from which he was suffering. After all had arrived, as has been explained, at El Paso del Río del Norte in the jurisdiction of these provinces, it was found impossible to continue the journey because of high water, and it became necessary to stop the train. At the beginning of this period of delay and detention the forty-nine men remaining from the fifty designated were delivered to the *maestre de campo general* of these provinces, who is at present Pedro de Leyva, by the express order and mandate of the señor governor and captain-general of them.

I have accordingly made the two payments that were assigned to those who are entitled to them, except to the said Joaquín de Rojas Zapata and six other convicts who came along with the others, their names being Antonio de Castro, Joseph de Capaz, Joseph Maldonado, Juan González, Antonio de Agurto y Molina, and Nicolás de Barrios. These men, after the said delivery had been made in accordance with the said order, ran away, deserting the post where they were on guard over the horses, having been placed there by the said *maestre de campo* because it was a very dangerous country subject to constant invasions of the hostile Apache. They took with them fifty-seven horses from the number assigned, three arquebuses, and six saddles. These six men, and the other one mentioned, did not receive their pay because they did not go on to this villa where the rest were paid in ready money and into their own hands. And because, in addition to the above, and to all that went under my direction, I have also made a contribution, I recorded it here on my own behalf, as well as on that of Captain Lorenzo Garro, [who went as] chief and governor of

the men for their greater security and correction and [to take care] that they should raise no disturbances, for the punishment that would be proper in such a case does not belong to my estate. Looking upon this kingdom with eyes of pity and as a vassal of his Majesty, when the conduct of these fifty men with their arms and horses, who had been provisioned for six months only, was delayed by the exigencies of the weather for nine, I gave supplies for the three months in excess from my own scanty allowance and from those of my religious.

Having learned also that the pueblos and frontiers of Las Salinas and Senecú are ruined and most of them terrorized and depopulated by the outrages and attacks that the enemy has committed and made upon them, and that their inhabitants and natives are now wandering about in other provinces [to their great grief], moved by charity and as a prelate of this holy *custodia* and ecclesiastical *juez ordinario* in its provinces, having recourse to the said allowances that belong to me by reason of the said office, and taking the food from the mouths of my religious, [I arranged] to rebuild the pueblos and give support to the frontiers of Cuarac in Las Salinas and to those of Senecú in Los Piros. So that the enemy¹⁰⁹ may understand the strength which his Majesty—whom may God preserve—has given with his aid, and may be restrained in their depraved purpose, I placed in the convent of Galisteo more than four hundred *fanegas* of provisions, two hundred goats, and forty head of cattle, for the support of ten Spanish soldiers and all the Indians of the Salineros nation; and in the convent of Senecú,¹¹⁰ which is being rehabilitated through the vigilance, promptitude, Christian application and pious zeal of Señor Don Antonio de Otermín, governor and captain-general of this kingdom, and also in another pueblo, I placed for the Spanish soldiers and natives another four hundred *fanegas* of cattle;¹¹¹ and in this villa of Santa Fé fifty more head of cattle, and one hundred and thirty *fanegas* of provisions for the rest of the men of the said troop, besides twenty soldiers whom I have armed with twenty leather jackets of six thicknesses—for without these they could not go out, except with great danger, on the campaigns—and as many more leather shields, and sets of armor for two horses.¹¹²

All of this, with the zeal of a loyal vassal and humble chaplain of his Majesty, I diligently collected in the greatest abundance at the places mentioned and at the convents, providing the said supplies from my own scanty allowance and those of my religious. Zealous in the service of both Majesties, and applying our weak forces so that their willingness and obedience may bring about at least a partial restoration from the great

¹⁰⁹ On the margin of B there is the following: "Frontiers of Cuarac in Las Salinas. Four hundred *fanegas* of supplies. Two hundred goats. Forty head of cattle."

¹¹⁰ On the margin of B there is the following: "Of Senecú in Los Piros."

¹¹¹ On the margin of B there is: "Four hundred *fanegas* of provisions. Two hundred goats. Sixty head of cattle."

¹¹² On the margin of B there is: "In the villa of Santa Fé for the rest. Fifty head of cattle. One hundred and thirty *fanegas* of provisions. For twenty soldiers, twenty leather jackets of six thicknesses and as many more leather shields, and sets of armor for two horses."

deterioration into which [the country] has fallen, in this belief we did this small service to his Majesty.

Also, as has been said, to the end that there may be recorded permanently what was entrusted to me on the part of his Majesty by the most excellent señor viceroy of New Spain, the señor *fiscal* and the other señores of the junta that was held to issue the despatches that I have brought and that are stated in this writing, and likewise in order to give account, wherever and however may be necessary, of the complete fulfillment of my obligation as well as that of the said Captain Lorenzo de Garro; and so that it may appear how my holy Order has assisted this action, so greatly to the service of both Majesties, which is to-day being carried on with the watchfulness, care, and vigilance of the señor governor and captain-general, Don Antonio de Otermín, on whose shoulders the weight of all that has been related is confidently placed; and so that it may appear how the illustrious *cabildo* of these provinces has complied liberally with the petitions and supplications [made] on behalf of my holy Order, which I hold to be right and proper because of the extreme poverty of all the inhabitants of this kingdom, it being well known that if those who have just come had not been aided with the provision mentioned for the period of a year it would not have been possible for them to assist in the royal service; in proof of which—and so that the verification of all the above may be presented in the court and tribunals of the City of Mexico before the señores judges, so that they may be, according to law, completely and properly satisfied—I pray and supplicate your lordship, as a matter of justice, to grant that I be given depositions in the proper form and manner, attested by two or more [witnesses], certifying how I have delivered the men of the assignment in the manner aforesaid, as well as the arms and horses, with an insertion stating how I and my religious have applied ourselves in the service of his Majesty. [The documents] may begin with this petition, as is just and necessary etc., etc. Fray FRANCISCO DE AYETA, custodian and ecclesiastical *juez ordinario*.

Auto [of Governor Don Antonio de Otermín. Undated]

This petition was examined by Señor Don Antonio de Otermín, governor and captain-general of this kingdom, in the presence and with the assistance of the *cabildo justicia y regimiento* of this said villa, most of the inhabitants of the kingdom being in attendance in open council,—the *maestres de campo*, *sargentos mayores*, and captains, both active and retired officers, being present at the examination of the petition, which is correct, lawful, and truthful. After rendering many thanks to his Majesty (whom may God preserve), to the most excellent señor viceroy of New Spain, to the señor *fiscal* and the señores of the junta, and at the same time to the very reverend father preacher, Fray Francisco de Ayeta, custodian and ecclesiastical *juez ordinario* of these provinces and our appointed *procurador*, we declare that the certification and other instruments that he asks for shall be issued; and that it is right that it should be done, alike because he carried out so punctually the instructions named in his petition,

and also because of the special service that he rendered his Majesty in the donation of provisions, cattle, leather jackets and shields, and suits of armor, for there is no doubt that without the said assistance the people whom he has brought in to aid in the service of his Majesty in the defense of these provinces could not have been maintained.

Of this let account be given, rendering the thanks due to our lord, the king, in the royal tribunals of Mexico, where their acknowledgment belongs, for by the said succor this kingdom, which is so surrounded and outraged by the ferocious Apache nation, will be somewhat relieved. It was thus provided, ordered, and signed by this *cabildo justicia y regimiento*, with the concurrence of the said señor governor and captain-general and those of the junta. Don ANTONIO DE OTERMÍN, BARTOLOMÉ ROMERO, ANDRÉS GÓMEZ ROBLEDO, Don FERNANDO DURÁN Y CHAVES, ANTONIO GONZALES, NICOLÁS LUZERO Y GODOY, ROQUE DE MADRID, PEDRO DE LEYBA, FRANCISCO GÓMEZ ROBLEDO and BARTOLOMÉ GÓMEZ ROBLEDO, ALONZO GARCÍA, LORENZO DE MADRID, SEBASTIÁN DE HERRERA, AMBROSIO SÁENZ, PEDRO MÁRQUEZ, Don PEDRO DURÁN Y CHAVES, BERNABE MARQUES, AGUSTÍN DE CARVAJAL, THOMÉ DOMÍNGUEZ DE MENDOZA, JUAN DOMÍNGUEZ DE MENDOZA, LUIS GRANILLO, DIEGO DOMÍNGUEZ DE MENDOZA. Before me, BLAS GRIEGO, clerk of the council.

[*Verification of Blas Griego. Santa Fé, December 31, 1677*]

It agrees with the petition and the *auto* provided for it, the original, to which I refer, remaining in the archive of this *cabildo justicia y regimiento* in my care, and it is accurate and true, and has been corrected and verified with the said original by request of our very reverend father preacher, Fray Francisco de Ayeta, custodian, ecclesiastical *juez ordinario* and *procurador general* in both jurisdictions of these provinces of the conversion of San Pablo of New Mexico, and by the mandate of the *cabildo justicia y regimiento* of them, with an insertion by Señor Don Antonio de Otermín, their present governor and captain-general. I issue the present writing in this villa of Santa Fé, capital of these provinces on the 31st day of the month of December, 1677. In witness of its truth I signed it. BLAS GRIEGO, clerk of the council.

[*Attestation of Antonio de Otermín. Santa Fé, December 31, 1677*]

I certify and attest, according to requirements of the law, that it is true that Blas Griego, by whom it appears that the above-certified copy was attested and signed, is clerk of the *cabildo justicia y regimiento* of this villa of Santa Fé, capital of these provinces, and as such has given entire authority and credit, judicially and extra-judicially, to all the *autos*, ordinances, assignments, and other instruments that have been passed during the time he has exercised the office, so that at all times their legality may appear from his attestation, as is stated in the said certified copy. Using in it and in this attestation the legal authority which is granted me by his Majesty, I issue the present writing in this villa of Santa Fé, capital of

these provinces of New Mexico, on the 31st day of the month of December, 1677, it being executed before me as *juez receptor* because there is not in the whole extent of these provinces a public or royal clerk before whom the judicial *autos* pertaining to the office and post of governor can be attested. I do so with the assisting witnesses named, who are Marcos de Heras and Lázaro de Musquía. This certified copy is on four pages, three written upon and the last endorsed with the present certification. It is on common paper because stamped paper is not current in these provinces. So that it may be thus manifest I certify and sign it in testimony of the truth. Don ANTONIO DE OTERMÍN. Assisting witness, MARCOS DE HERAS. Assisting witness, LÁZARO DE MUSQUIA.

Certification by Royal Officials. [Mexico, October 5, 1678]

On the fifth of October, 1678, the reverend father, Fray Francisco de Ayeta, *procurador general* and custodian of the provinces of New Mexico, delivered to the royal treasury one hundred and twenty-six pesos in *reales*, the residue of the two hundred and ten pesos of the two months pay, at the rate of fifteen¹¹³ pesos each, of seven of the fifty convicts who were delivered to him in this city for the aid of the provinces, by virtue of the orders of this superior government of September 9 and October 19 of the past year of 1676, which were issued in accordance with the resolution passed in the *junta general de hacienda* for that purpose. In order that they might be succored, a warrant was issued to the said *procurador* on February 24 of the past year of 1677, and among the other items comprised in the said warrant there was one granting him fifteen hundred pesos for the payment of two months' salary to the said fifty convicts, which was to be given to them as soon as they should arrive in the said provinces, less twelve pesos each for the value of a saddle, bridle, stirrups, and spurs. It was to be delivered to them in specie, in accordance with the resolution passed in the said junta, in which it was ordered that the value [of the saddles, etc.] should be subtracted from the salaries that they were to receive.

Since it happened that before the said father *procurador* arrived at the villa of Santa Fé, capital of the said provinces, seven of the convicts ran away, and when the time came for the payments that were to be made to them there, the sum intended for their salaries for the said two months remained in his possession, he paid into this royal treasury the said one hundred and twenty-six pesos, the sum to which the salaries of the said seven convicts amounted at the rate of eighteen pesos each, for the eighty-four pesos required to complete the two hundred and ten that they were to receive, at the rate of thirty pesos each for the said two months, are subtracted and discounted for the value of seven cavalry saddles. These saddles, with all their appurtenances, he had already delivered to the said seven convicts at the rate of twelve pesos each before they fled and the time arrived to pay them. However, the said father had already turned over six of the men, together with the rest of the convicts and volunteers whom

¹¹³ *Quince*, given in the text, is incorrect. It should be *diez y ocho*.—N. V. S.

he received in this city, to the *maestre de campo general* of those provinces, Pedro de Leyva, by virtue of an order from the governor of the provinces, as appeared from the testimony of Blas Griego, clerk of the *cabildo*.

In certification of this we issue the present writing in Mexico on the said day, month and year. Don FERNANDO DE DEZA Y ULLOA. Don ANTONIO DEL ROSAL.

Petition [of Father Fray Francisco de Ayeta. Mexico, May 10, 1679]

Most Excellent Sir: Fray Francisco de Ayeta, religious and preacher of the Seraphic Order of Saint Francis, *procurador general* in spiritual and temporal affairs of the provinces of New Mexico, and custodian therein at present and continuously for the last six years, declares: That in a decree of obedience by royal cedula of June 18, 1678, his Majesty was pleased to confirm and give the just and proper acknowledgment to your Excellency for the assistance in men, arms, and horses, given through the person of the petitioner to the said provinces when they were in danger of ruin through the constant hostilities of the Chichimecos of the Apache nation and the confederation of the rest of the heathen Indians. It is provided in the said decree that an authorized copy of the said royal cedula should be given to the party of the said provinces and *custodia*; therefore, the petitioner being in this City of Mexico on his return from the said provinces after having delivered in them the said succor and the alms for his missionaries, and proceeding in the exercise of his office by order of his commissary general, Fray Domingo de Noriega, the said royal cedula, which is of the following tenor, was delivered to him:

The King. Very reverend in Christ, Father Don Fray Payo de Rivera, archbishop of the metropolitan church of the City of Mexico, member of my council, my viceroy, governor, and captain-general of the provinces of New Spain, or the person or persons in whose charge its government may be: In a letter of the 13th¹¹⁴ of the past January of this year, you give account of a communication made to you by the chapter of the *custodia* and mission of the Order of Saint Francis of the provinces of New Mexico, with information given on petition of the *procurador general* of the villa of Santa Fé, capital of the said kingdom, and a report by its governor, by which it was manifested that those provinces were in danger of ruin through the constant attacks made upon them by the Chichimecos of the Apache nation, with whom the rest of the heathen Indians were confederated. You tell of the murders and robberies which they have committed, in the churches as well as in the settlements, and state that you, having been appealed to on the part of the religious to aid the said provinces with men, arms, and horses, since they were without any protection whatever, and having consulted with the *junta general de hacienda*, took measures for the succor (which was decided upon) of fifty men with their arms and the necessary money to buy in Guadiana one thousand

Royal cedula of approbation of the succor.

¹¹⁴ B reads "on the 11th of January."

horses, together with the chief and commissary who was to go in command of the men; and you state that from this measure you hoped there would be good results, of which you would give me account, this very necessary succor not having cost more than fourteen thousand and seven hundred pesos, as would appear from the certified document that you were sending.

After consideration in my royal Council of the Indies of what my *fiscal* requested in this matter, it has seemed well to approve, as by the present writing I do approve, all that you have done in this, which is entirely in accordance with the zeal and diligence that you apply to everything that looks towards my best service, for which I give you many thanks. I charge you to give me account at the first opportunity that offers of what may have been done in the matter of this succor, and of the state in which those provinces may be, and of their pacification and tranquillity. Done at Madrid, June 18, 1678. I THE KING. By order of our lord, the king. Don JOSEPH DE VEITIA LINAGE. Signed with four rubrics of the señores of the Council.

In this royal cedula, most excellent Sir, after giving, as has been said, proper and just thanks for the said succor, it goes on to say: And I charge you to give me account at the first opportunity that offers of what may have been done in the matter of the said succor, and of the state in which those provinces may be, and of their pacification and tranquillity, etc. Consequently the petitioner, having obtained [the copy of] the said royal cedula in the manner stated, is of the opinion that besides the records that he has already presented to your Excellency upon it, he should give a detailed report of them, and he does so as follows:

The carts in my charge in which the reënforcements were transported arrived in the said provinces nine months after the 27th of February, 1677, on which date they left this City of Mexico. They immediately reënforced the frontiers with men and arms, and an effort was made to settle, as was done, those of Las Salinas and Senecú, which are the principal frontiers of the said provinces, and which, with Cuarac and Chililí, had been depopulated in the brief time between the departure of the petitioner from those provinces to ask for succor and his arrival with it. The barbarous Apaches compelled them by constant attacks to abandon [these places], and killed the missionary at Senecú in his own convent, with five arrow shots. He was Father Fray Alonso Gil de Avila, a native of the city of Burgos, of exemplary life and habits in religion and of well known valor in secular life, where he attained the rank of captain of cuirassiers in the armies of Flanders and Catalonia. These [places] were settled by means of the said succor, that of Senecú with more than one hundred families of Christian Indians, and Las Salinas with more than two hundred, with the soldiers necessary for their protection. The petitioner, as prelate of that *custodia*, left them supplied and through its missionaries provided them with arms and provisions as far as possible, for which your Excellency was pleased to give him thanks in the name of his Majesty. By this means, during the time that the petitioner was there, which was four months, up to the 28th of March of the past year of 1678, the barbarous rabble of Apaches and the other confederated heathen nations were restrained from the repeated

attacks which they usually made by the knowledge that there was a sufficient force to prevent their committing safely the robberies that they were in the habit of perpetrating.

It is public knowledge that from the year 1672 until your Excellency adopted measures for aiding that kingdom, six pueblos were depopulated—namely, that of Cuarac, with more than two hundred families, that of Los Humanas with more than five hundred, that of Abó with more than three hundred (in this latter they burned the convent after having sacked it and murdered the missionary, who was Father Fray Pedro de Ayala, a native of Campeche, stripping him of his clothing, putting a rope around his neck, flogging him most cruelly, and finally killing him with blows of the *macana*; after he was dead they surrounded the body with dead white lambs, and covered the privy parts, leaving him in this way, a thing that caused astonishment to the inhabitants of the said provinces when they went to see him, knowing as they did the ferocity of these Indian barbarians, who kill one another for a piece of meat; His Divine Majesty knows the secret of this), that of Chililí with more than one hundred, Las Salinas with more than three hundred—restored, as has been said—, and Senecú, both these last being frontiers and veritable keys to those provinces.

Finally, most excellent Sir, because the great measure provided by your Excellency was taken in good time and season for defense where danger threatened, it happened that that nascent spark did not become a conflagration to burn and lay waste these provinces, thereby demonstrating the wise and felicitous government of your Excellency, who knows how to see misfortunes before they come in order to avert them, without waiting for them to happen in order to weep for them. This is acknowledged by his Majesty in his royal cedula previously inserted in these words: “And after consideration in my royal Council of the Indies of what my *fiscal* requested in this matter, it seemed well to approve, as by the present writing I do approve, all that you have done in this, which is entirely in accordance with the zeal and diligence that you apply to everything that looks toward my best service, for which I give you many thanks, etc.” This, most excellent Sir, is what touches upon the first point of the said royal cedula in regard to the acknowledgement of the said succor.

As to the second point, concerning the state in which those provinces are, it appears from information that the petitioner has received in this City of Mexico since the month of September of the said year of 1678, when he arrived from there and presented before your Excellency the reports that he brought from those provinces, that the said barbarous seditious Indians have again begun their cruelties and atrocities, but that our people have defended and are defending themselves without having abandoned anything whatever. Since the said succor, indeed, they have maintained and are maintaining themselves, although they suffer hunger and hardships from the many ambushes practiced by the said rebellious Indians in order to capture the Christians and overcome them. The latter are much inferior in number to the former, who are very numerous, in view of the fact that in the hundred and seventy leagues from north to south from the convent of Nuestra Señora de Guadalupe del Paso, founded

on the hither bank of the Río del Norte, as far as the pueblo and convent of San Gerónimo de los Taos, and in the hundred and fifty leagues from east to west from the pueblo of Las Salinas as far as that of San Miguel de Oraybe, in the province of Moqui, there are only forty-six pueblos of Christians, some of them being visitations of the twenty-five convents of the missionaries. In them, according to the registers, there are seventeen thousand Christian Indians, men and women, but only six thousand of them can use the bow and arrow, the rest being old men, children and women; and the Spaniards and other persons of various castes, even counting those of this last relief, scarcely reach the number of one hundred and seventy that can use arms, and of this number, when the governor of the said provinces has occasion to pursue the enemy after they have committed some sudden outrage, he can scarcely gather together twenty men, for most of them live on the frontiers and on farms. Because of such delay the enemy is usually able to escape in safety, for which there can be no remedy except to increase the number of people, so that everywhere when the offender arrives he will find the defender.

The petitioner represents to your Excellency that to this end it would be very advisable to grant them the aid of another fifty men, they to be armed and paid in the same manner as the preceding, in order to strengthen those frontiers at the present time, and in the future to attempt to reduce the said barbarous nations to peace. At the same time he begs that your Excellency will be pleased to order that in the villa of Santa Fé, capital of those provinces, there shall be situated and established a presidio of fifty men, paid in the same way as those of Sinaloa.

These conditions and necessities, most excellent Sir, of the provinces of New Mexico, are permanent and are well known to the supplicant as prelate of that *custodia*, and as such he adds, in regard to the state in which the said provinces are, that in order to relieve the great need of provisions from which he was informed by the said governor and missionary religious that the inhabitants of the frontiers of the said provinces, in particular the main one of Senecú, were suffering, the supplicant has represented that fact to their commissary general, Fray Domingo de Noriega, and was ordered by him to make the best arrangements for remedying it. With this the supplicant despatched a courier to Governor Don Antonio de Otermín, asking him to relieve and support those frontiers with what was necessary, and saying that the expense would be paid by the syndic of the said *custodia* from the same allowance that his Majesty (whom may God preserve) would grant to those missionaries, who would agree to it because it was known that they were anxious to have a part in this improvement for which the supplicant is arguing. It is very necessary that your Excellency shall be pleased to grant to the said provinces the establishment of the presidio of fifty men which I ask for, to be paid like those of Sinaloa, and stationed in the villa of Santa Fé (even though it be only for the period of ten years), for, besides being most necessary for the reduction to peace of the barbarous Indians and for attempting their conversion, the inhabitants of the said provinces, who find themselves restricted as in a presidio surrounded by the hostilities of the barbarous Indians, are extremely poor.

There is precedent for this in the royal cédulas of August 12, 1669, and February 13, 1676, in which, among other things, many thanks are given to his Excellency for having created a presidio of soldiers for the protection of the missionaries of the Mariana Islands and for paying their salaries, which are now current in this royal treasury of Mexico, as far as concerns forty of the said soldiers.

To the same effect is the provision of another royal cédula of September 6 of the year 1670, directed to this superior government, in so far as it says: "Things being in this state, it has been learned that the rebellious Indians of the province of Nueva Viscaya are committing many hostilities because of the slight resistance that is being made to them, and especially that in the past year of 1677 they attacked the *doctrina* called Zape and killed some of the reduced Indians and many children, and its minister had not appeared; that they did the same in the *doctrina* of Santa Catalina; that in many parts of the roads of that province trade could not be carried on because they are cut off by the Indians who have risen and are committing robberies and atrocities; and that this could be remedied if the full complement of infantry were in the presidios, which is not the case because the governors do not distribute as they are under obligation to do the sixty-two thousand pesos that are assigned in the royal treasury of this city for the appropriation for presidios and war in that province.

"This having been considered in the royal Council of the Indies, it has seemed well to charge and command you, as I do, to carry out and execute that which I order you in the above-inserted cédula, taking much care and attention to see that the frontier garrison of the provinces of Nueva Viscaya is complete, so that it shall not suffer from the hostilities and injuries that are being experienced, but rather that it [the garrison] shall hasten to prevent them and chastise the rebellious Indians, so that the subjects [of the king] may be able to carry on trade freely, keeping that province in the state of peace and quiet that it is so necessary for them to maintain. In this I expect that you will act with the zeal and diligence that such an important matter demands, and that you will give me account of what you do, etc."

The statement of the royal cédula of October 21, 1664, which is cited in this, is as follows:

"I charge and order you very strictly that the pay of the soldiers of the said muster shall be converted, without any fraud, into the goods for which it is intended, with all exactitude, and that the presidios of that province [shall be managed] in such a manner that the pay that is due to the soldiers shall not be withheld from them, taking care also that the garrisons shall have their full complement of men. In this you will exercise the care and watchfulness that I expect from your attention to my service, and you will give me account of what you do in the matter, etc."

These cédulas, most excellent Sir, are authority for the presidio which is requested in these provinces, for the royal cédulas extend not only to the special case of which they speak, but also to any other to which the same arguments could be applied. The suppliant also considers it to be necessary for the said purpose of garrisoning these provinces and strength-

ening their frontiers as a defense against the attacks of the barbarous nations, that a further succor shall be granted immediately to the said provinces, equal to that which his Majesty has already confirmed, of fourteen thousand and seven hundred pesos, in order to conduct therewith another fifty men, paid, and armed with their arquebuses, swords, and daggers, with saddles, bridles, and spurs for their mounts, as in the first relief, omitting the thousand horses that went then and applying the three thousand pesos of their value to the keep of the men—who would thus have to be transported in the carts belonging to the said Order, in charge of the petitioner and of their chief and sergeant—because there is no provision for their support nor can the missionaries pay their expenses as in the previous expedition, for they spent a great deal in the transportation of the said succor, which can not be provided [again] for a journey so long as six hundred leagues, most of it through hostile country. Concerning such relief his Majesty, in the royal cedula of August 1, of the year 1605, directed to this superior government and corroborated by other later ones, says:

“And I have resolved to charge you, as I do, that you shall give to the said Francisco de Urdiñola ¹¹⁵ all that is necessary to explore and pacify that [country] which may not be so, since I have ordered that he be given title to that governorship; and you will inform me of whatever may be done, and will always take care, as you say, to remedy and prevent in time the disturbances that may be feared from the Chichimecos Indians.”

In another of July 4, 1602, directed to the same government [he says]: “I charge and command you to take great care in this matter, so that the necessary safety may be secured, and to vigilantly provide in all parts against similar occurrences.”

The substance of all this is included in the following royal cedula:

The King. Marquis of Guadalcazar, my kinsman, viceroy, governor, and captain-general of the provinces of New Spain and president of my royal audiencia therein. In my royal Council of the Indies there has been examined what you wrote in a letter of the 15th of last February in regard to the uprising of the Tepeguanes Indians of Nueva Viscaya, as also the papers that came with it, from which is apparent the relief in arms and men which you sent to the governor of that province. Inasmuch as the affair is of great importance it must be considered with the care required by recent events, and if when you receive this it shall not have been remedied, as it is believed and hoped it will be, you will make very particular inquiries into the state of affairs, and, in accordance with it, will take steps to remedy it as may be best, giving the orders that may be necessary to secure the peace that is desired and to reduce that country to the tranquillity in which it was formerly, assuming direction of all military affairs as viceroy and captain-general, as you are, of all the provinces of this New Spain. If you find that the uprising is spreading,

Royal cedula.

¹¹⁵ For references to the services of Francisco de Urdiñola, 2d, governor of the province of Nueva Vizcaya from 1603 to 1611, see II: 35-36 of this series.

and is not being subdued by the measures that Don Gaspar de Albear,¹¹⁶ governor of those provinces, may have taken, and if you see that it is necessary to send there a person of more experience and skill in the art of war, you will do so, entrusting the affair to him for the duration of the war or for such a period as may seem best to you, inasmuch as everything is confided to your prudence and good judgment. In order that the said governor, Don Gaspar de Albear, shall be informed of this, in a letter of this date I command him to place himself under your orders and to carry out strictly those that you may give him. I also charge you to see that this is done with the least expense possible to my *real hacienda*, and that you shall inform me of all measures that you may take. Madrid, June 17, 1617. I THE KING. By order of the king, our lord. JUAN RUIZ DE CONTRERAS.

This royal cedula, most excellent Sir, it appears was made for this case of the second succor of fifty men, and if they must be convicts, like those of the preceding expedition, let your Excellency and the royal criminal court order that if possible they shall be Spanish people, robust and able-bodied, and shall be acquainted with country life, and that they shall not be abused or left without pay—for they must necessarily have clothing to wear—so that in this way they may be of use in those provinces. The only intervention by the royal officials of this court should be to issue and pay, by a single warrant once and for all, the said fourteen thousand and seven hundred pesos, and to make out the lists of the people for the syndic of the carts, paying him his salary only when the aforesaid [syndic] or the suppliant shall have brought a certification from the governor of the said province of the delivery of the people and their belongings, without any other obligation whatever.

Finally, another very urgent reason for this second relief is that in the year 1670 there was a very great famine in those provinces, which compelled the Spanish inhabitants and the Indians alike to eat the hides that they had and the straps of the carts, preparing them for food by soaking and washing them and toasting them in the fire with maize, and boiling them with herbs and roots. By this means almost half the people in the said provinces escaped [starvation]. There followed in the next year of 1671 a great pestilence, which also carried off many people and cattle; and shortly thereafter, in the year 1672, the hostile Apaches who were then at peace rebelled and rose up, and the said province was totally sacked and robbed by their attacks and outrages, especially of all the cattle and sheep, of which it had previously been very productive. They killed, stole, and carried off all except a few small flocks of sheep which were saved by the vigilance and care of some of the inhabitants, who guarded them by day at great risk of losing their lives, as some did, and locked them up at night in the patios and corrals of their own houses. While they were in this sad and afflicted state the Divine Majesty permitted and disposed that that sweet and kindly succor should arrive from the illustrious person

¹¹⁶ For references to the services of Gaspar de Alvear y Salazar, governor of Nueva Vizcaya in 1616 and 1617, consult the index of vol. II, under Alvear.

of your Excellency, and with it those poor inhabitants who were scarcely able to draw breath for the attacks of the said barbarians took courage and the hostiles, as has been said, were restrained in their atrocities for some months, being without doubt fearful of the said relief party. In order that comparison may be made between the present state of those provinces and that in which they were in the year 1635, a literal copy is inserted of a royal cedula which explains it and other important things in this manner:

Royal cedula.

The King. Marquis of Cerralvo, my kinsman, viceroy, governor, and captain-general of the provinces of New Spain, and president of my royal audiencia residing therein, or the person or persons in whose charge the government may be: Fray Alonso de Benavides,¹¹⁷ in various memorials that he has presented, tells how he has labored in those provinces and in the new kingdom of Mexico for more than thirty years in preaching and administration of the holy sacraments to Spaniards and Indians, and in the pacification and conversion of the heathen, and how to-day those who have been pacified number more than five hundred thousand, and those baptized more than eighty-six thousand. More than one hundred religious of his Order are assisting in their conversion and besides the convents which this holy Order has, there are more than one hundred pueblos—each one having its church where mass is said and the holy sacraments administered—and one very good villa of Spaniards, with other farms and haciendas settled by them.

Although he might have continued in those my kingdoms in the service of God, our Lord, and of myself, as he was doing, in the past year of 1632 he came to Italy with Don Francisco Melo as his confessor and assistant in business which he was conducting in my service, in consideration of the fruit that would result [therefrom] among those Indians recently converted and in the conversion of others. He desired to return to New Mexico, and in order that he might do so I ordered on December 4 of the past year that he be given permission. He also prayed that I be pleased to order that the said conversions and their ministers should be assisted, and that the soldiers who serve me in that kingdom be favored and honored.

This having been considered in my royal Council of the Indies, I decided favorably upon it, and I therefore now order that you shall support and favor the said Fray Alonso de Benavides and those of his Order who are assisting or may assist in the conversion of the Indians of New Mexico in the affairs and events that may occur in the said conversions, and that you shall receive those Indians under my protection and favor, accepting the obedience which they offer me with grateful and kindly demonstration, expressing appreciation on my part for this action,

¹¹⁷ Reference is to Fray Alonso de Benavides, author of the well-known *Memorial* on New Mexico that was first printed at Madrid in 1630. For a biographical and bibliographical sketch relating to Benavides, see F. W. Hodges' note on Benavides, in E. E. Ayer (ed.), *The Memorial of Fray Alonso de Benavides, 1630* (Chicago, 1916), pp. 187-194.

assuring them that they will find in me the favor and protection that I owe them, and that I shall treat them justly. You will give the soldiers who may serve me in that kingdom to understand that the services they are rendering are very agreeable to me, and you will honor them in my name in accordance with what each one does, and if they should appear before my royal person to ask for favors you will assure them that they will certainly obtain them. You will consider them all as my vassals, and you will favor them in everything that may occur and not permit them to be annoyed or molested in any way. Done at Madrid, January 30, 1635. I THE KING. By order of our lord, the king. Don GABRIEL DE OCAÑA Y ALARCÓN. Signed with five rubrics.

From this royal cedula, most excellent Sir, not only can comparison be made with the present abject state of the said provinces of New Mexico, but it may be gathered how important to them it is that this second relief which is now asked for them be granted, as also the presidio which is solicited by those poor inhabitants, harassed and troubled by the rebellious Indians. It appears, indeed, that to do so would be in accordance with the royal will expressed in this royal cedula, in which it is so strictly ordered that the said inhabitants be favored and protected. This is what pertains to the second point of the previously inserted royal cedula in regard to the present state of the said provinces of New Mexico.

As to the third point—the pacification and tranquillizing of the said provinces—although it is true, most excellent Sir, that the number of the Chichimeco Apaches and the heathen nations with which they have confederated is very considerable, nevertheless, if the said second relief that is requested be taken in to strengthen those frontiers, and if a presidio paid like that at Sinaloa be established at the villa of Santa Fé, and if Captain Don Antonio de Otermín be retained in that governorship for some time—for he is a very Christian gentleman and zealous for the honor of God and our lord, the king, excellent in his measures and vigilance for peace and war, and maintains the said provinces in all equity and justice, being among the first to attend prayers for mercy and alarms of hostilities, not sparing his own scanty possession for that purpose, or for aiding the poor settlers, wherefore all the ecclesiastics and seculars render through the suppliant many thanks to your Excellency for having given them such a good governor—it is certain that, with the assistance of the fervor and spirit with which the missionaries of the said provinces are acting in the conversion of those natives, the said pacification and tranquillization will be secured.

From thence they will go on, not only to the conversion of the innumerable heathen of the said provinces, but also to the spreading of the holy gospel in the exceedingly broad and fertile lands, productive and rich in minerals, which are contiguous to those provinces. There are [minerals] in them with which to indemnify in part the large sum which the piety and most religious liberality of his Majesty has expended for so many years in maintaining the missionaries who sustain the faith in those extensive provinces, the said mines not having been worked for lack of

Spanish people. This, most excellent Sir, is what now occurs to him [Father Ayeta] to present to your Excellency in reference to the copy of the said royal cedula that was given to him so that this representation may serve as an effective argument for the succor that the said provinces are requesting, and for the presidio that they solicit for the villa of Santa Fé, their capital. Your Excellency will take such measures as may please you, which will be as always the best and most suitable and from which the suppliant, his holy Order, and those provinces will receive the benefit and favor which they expect from the distinguished piety and greatness of your Excellency. Fray FRANCISCO DE AYETA.¹¹⁸

Decree [of the viceroy. Mexico, May 10, 1679]

Mexico, May 10, 1679. To the señor *fiscal*. Signed with his Excellency's rubric.

Reply of the señor fiscal. [Mexico, May 16, 1679]

Most Excellent Sir: His Majesty's *fiscal* says that he has examined the writing presented by Father Fray Francisco de Ayeta, *procurador general* and custodian of the missions of New Mexico, in which he represents the successful results that were obtained from the succor of men, arms, and horses that was sent to the said province in the past year of 1677, by order of your Excellency, in charge of the said father custodian. This his Majesty was pleased to approve in his royal cedula of June 18 of the past year, 1678, and to give your Excellency thanks for the zeal and wisdom [shown in sending] this succor. On the occasion of being notified of this royal cedula, the said father custodian makes a report of the state in which that province now is, and at the same time proposes to your Excellency that for its security, considering that the barbarous Indians are so bold, it is necessary in order to repress them and restrain their hostilities to send another fifty soldiers and erect a presidio with this number for a period of at least ten years, they to be armed and paid in the manner and form that is customary in the province of Sinaloa.

Although in support of this solicitation he cites the decisions of the royal cédulas and examples which he quotes, and the precedents of Nueva Vizcaya, they are not sufficiently convincing, for the said royal cédulas speak under the presumption of presidios being erected in the said provinces by virtue of royal cédulas and orders of his Majesty, which it is necessary shall precede in order that this resolution can be taken. It also appears that it is necessary to apply to his Majesty in soliciting the new succor of another fifty men, for it does not follow that because he approved what was done in the past year of 1677 with such legitimate reasons he will hold it to be right that a new succor should be given; rather, since such a short time has intervened, it might be feared that he would consider it to be a useless and unnecessary expense. Even though it were desirable in order to restrain the hostilities of the barbarians and

¹¹⁸ F. R. B., Sevilla, Oct. 3, 1914.

to increase conversions among the great numbers of heathen, since these same circumstances also obtain in La Viscaya, Sinaloa, the province of Yucatán, and other parts, the entire royal patrimony would not be sufficient (especially as it is now so exhausted) if all these needs were provided for with the punctuality that they demand, and we must only respond with succor and assistance to what is unavoidably necessary until our Lord God shall provide the means with which to attend to everything. In view of this, and of the fact that his Majesty orders in the said royal cedula that your Excellency shall give account of what has been accomplished by means of the said succor, and of the present state of those provinces, if it be your pleasure you can order that there shall be sent to the royal and supreme Council of the Indies a certified copy of the *autos* of the account and statement made by the said father custodian of having delivered the said succor to the governor of that province; and at the same time [there can be sent a copy] of this writing and representation, so that his Majesty, having learned of the needs and state of that province, which the father custodian represents with such love and zeal, may resolve and order what he considers to be right and most conducive to the royal service. Your Excellency will order what is most conducive to the royal service. Your Excellency will order what is most suitable. Mexico, May 16, 1679. Licentiate Don MARTÍN DE SOLÍS MIRANDA.

[*Decree of the viceroy. Mexico, May 24, 1679*]

Mexico, May 24, 1679. As requested by the señor *fiscal*. Signed with his Excellency's rubric.

[*Certifications of royal officials. Mexico, June 19, 1679*]

It agrees with the originals that are in the secretariat of government and war of this New Spain, in charge of Don Pedro Velásquez de la Cadena, knight of the Order of Santiago, where I, Manuel Sarniana, clerk of our lord, the king, and chief official and deputy therein, caused it to be copied, by order of the most excellent señor archbishop viceroy, in the City of Mexico, on the 19th day of the month of June, 1679. MANUEL SARNIANA [*sic*], royal clerk and chief official of *hacienda*. Signed with a rubric. Official. Signed with a rubric.

We attest that Manuel Sarniana, by whom it appears that this copy is signed is clerk to the king, our lord, and chief official and deputy in the secretariat of government and war of New Spain, in charge of Don Pedro Valásquez de la Cadena, knight of the Order of Santiago. As such he practices and exercises the said offices, and to the *autos*, writings, mandates, certified copies, and other instruments that have passed and do pass before the aforesaid he has given and does give entire faith and credit, judicially and extra-judicially. Done in Mexico, June 19, 1679. CRISTÓBAL RODRÍGUEZ DE PRADO, royal clerk. PEDRO GONZALES, royal clerk. BERNARDO SUÁREZ, royal clerk of the province. All signed with rubrics.

[*Reply of Pedro Otero. Madrid, June 14, 1680*] ¹¹⁹

His Excellency and the Señores Valdes, Santelices, Santillán, Chinchetau.¹²⁰ Let a cedula be issued directed to the viceroy, the Count of Paredes, so that having informed himself of the progress made in the conversion of the Indians of the provinces of New Mexico, which is the principal care of his Majesty, and it being made clear to him that this obligation is being fulfilled, he may apply all the means possible for the succor and defense of those provinces and their conversions in the manner that he may consider to be necessary and most advisable. Of all that he may do and the results that may be secured from it let him give account at every opportunity that offers. Madrid, June 14, 1680.

PEDRO OTERO. Signed with rubric.

[*Royal cedula*] issued in Madrid, June 25, 1680 ¹²¹

To the viceroy of New Spain: After informing himself of the progress made in the conversion of the Indians of the provinces of New Mexico, and it being made clear to him that this obligation is being fulfilled, let him apply all the means possible for their succor and defense in the manner that he may consider most opportune and necessary, and of what he may do and the results that are obtained from it let him give account at every opportunity.¹²²

The King. Count of Paredes, Marquis of La Laguna, kinsman, and member of my Council, *Cámara*, and *Junta de Guerra de Indias*, whom I have appointed as my viceroy, governor, and captain-general of the provinces of New Spain, and president of my royal audiencia of Mexico, or the person or persons in whose charge its government may be: Don Fray Payo de Rivera, archbishop of the metropolitan church of this City of Mexico, your predecessor in the office of viceroy, in a letter of June 19, of the past year of 1679, refers to the fact that in a cedula of June 18, 1678, I approved the succor of men, arms, and horses which in the year 1677 he sent to the provinces of New Mexico. In consequence of the cedula having been made known to their custodian, he [the custodian] made a representation to him [the viceroy] of the successful results that followed from the said succor, and intimated that for the better security of those provinces another fifty soldiers would be necessary, in order to form with them a presidio for the term of at least ten years, they to be armed and paid in the form and manner that is customary in the province of Sinaloa.

This having been referred to the *fiscal* of that audiencia for consideration, he was of the opinion that for the present its execution should be suspended, as well as the [sending of] the new relief that was requested.

¹¹⁹ The archive copy of this *respuesta*, according to both the Bandelier and the Bancroft Library transcripts, is on the same page as the letter of the viceroy of June 19, 1679, which is printed above (see p. 285).

¹²⁰ "Chinchetra" in the Bancroft Library transcript.

¹²¹ A. G. I., 67-3-32. (Guadalajara 138.)

¹²² According to the Bancroft Library transcript, this is the title on the *carpeta*, or cover.

He [the archbishop] sent me at the same time a certified copy, which came with his letter, of the account and statement made to him by the custodian of having delivered the succor mentioned to the governor of the said provinces, and of the new representation that he made to him, so that in view of it and [with information of] their present state and needs and of the good results obtained, I might give orders according to my pleasure. After consideration in my royal Council of the Indies of what was written to me on this matter by Fray Francisco de Ayeta, custodian and *procurador general* of the Order of Saint Francis in the provinces of New Mexico, in a letter of May 28, 1679, and the certified copies which he and my archbishop viceroy sent touching upon this matter, my *fiscal* was of the opinion in regard to the whole affair that I should command and order you (as by the present writing I do command and order you) that, after having informed yourself of the progress made in the conversion of the Indians of the said provinces of New Mexico (for, as you know, this is my principal care and desire), and after assuring yourself that this obligation is being fulfilled by the ministers to whom their administration, indoctrination, and instruction are entrusted, you shall apply all the means at your command for the succor and defense of those provinces and their conversions, in the manner that you may consider to be most suitable and necessary in order to secure the reduction and conversion to our holy Catholic faith of the Indians native to them, as well as the preservation of what has been discovered and may be discovered; and of what you do in this regard and the results that may come from it you shall give me account at every opportunity that may offer. It is understood that I have full confidence that you will give all your attention and care to this, so that the best service to God and myself may be secured, in which I shall hold myself to be well served by you. Done at Madrid, June 25, 1680. I THE KING. By order of the king, our lord. Don JOSEPH DE VEITIA LINAGE. Signed by the Council.

[On the back is written:] "corrected." There is no evidence that the señor viceroy, the Count of Paredes, has responded to this despatch up to to-day, July 21,¹²³ 1685.¹²⁴ Council of June 18, 1678.

Fray Francisco de Ayeta, custodian and procurador general in the provinces of New Mexico, gives account to your Majesty (with a certified copy of autos enclosed) of what he represented to the archbishop viceroy of New Spain in the matter of the conservation of the said provinces and their condition, a résumé of which he sent to your Majesty. He now solicits it for the reasons herein expressed. [Mexico, May 28, 1679]

Sir: Being in this City of Mexico of New Spain on my return from the extensive provinces of New Mexico—whither, by commission of your archbishop viceroy, I conducted (with the assistance of the syndic) in the carts under my charge the succor that was needed there¹²⁵ to reduce

¹²³ The Bancroft Library copy reads "until to-day, July 2."

¹²⁴ F. R. B., Sevilla, Sept. 15, 1914.

¹²⁵ See note 82, *supra*.

the uprising of the numerous nation of Chichimeco Apache Indians, confederated with other heathen tribes, who were infesting those provinces with their hostile attacks—there was delivered to me by order of the said archbishop viceroy (as to the present custodian and *procurador general* in spiritual and temporal affairs of the said provinces) a certified copy of the royal cedula of June 18 of the year 1678, in which your Majesty is pleased to approve of the said succor. In consequence of this, and because it is ordered therein that I should give account to your Majesty of what I may have done with regard to this relief, as well as of the present state of the said provinces and their pacification and tranquillity, I did so in a writing which I presented to the said archbishop viceroy. At the same time I represented to him how necessary it was that further relief should be given like that which your Majesty approved, and that there should be established (for a term of ten years) a presidio of fifty men with the same pay as those of Sinaloa at the villa of Santa Fé, capital of those provinces, for their preservation and increase, the reduction and pacification of the said Indians, the extension of the holy gospel, and the development of the rich mines there for the benefit of the royal income.

This writing, Sir, was given consideration by the *fiscal* of this royal audiencia, and the archbishop viceroy agreeing with his reply sent it, together with the said representation, as privileged matter to your Majesty and your royal and supreme Council of the Indies, so that it might be determined what should be done, in accordance with the entire contents of the enclosed certified copy of forty written pages. I therefore am under obligations to continue with the said representation because of these provinces being (as I have ascertained well through a period of six years as their superior ecclesiastical minister) among the most important that your Majesty possesses in all this New Spain, alike spiritually and temporally. And if hitherto they have yielded no fruits, it has been (as I understand) because of the few people that have inhabited them. Being settled with the other relief party referred to, and with a presidio of fifty men, paid like those of Sinaloa, there is no doubt, Sir, according to what has been experienced by the missionaries, that it would be possible not only to accomplish the reduction of the said Chichimeco Apaches and their heathen confederates to the bosom of our holy faith and to submission to your Majesty, but also to extend (with increase of revenue) the holy gospel to other great provinces, in particular to those desired by your Majesty, the Californias, mentioned in this connection in the royal cedula of February 6 of the year 1677, for (according to reliable opinions) they are contiguous to those countries. It is in that direction that the true entrance lies for their settlement and the acquisition of their great riches, for which no attempts have yet been made because many have failed through the difficulties they experienced in other parts, which are overcome here, according to what has been learned from the said reports and from some entrances [made] by that route. For these reasons I have resolved to give an account to your Majesty, so that, having examined by said writing of twenty-seven pages following the said certified copy, you may be pleased to order whatever may be your royal pleasure and will. May God keep the

Catholic and royal person of your Majesty as Christendom has need. Mexico, May 28, 1679.

FRAY FRANCISCO DE AYETA.

[On reverse of top sheet:] Mexico, to his Majesty. Fray FRANCISCO DE AYETA, custodian and *procurador general* of the province of New Mexico, of the Order of Saint Francis. Received on January 22, 1680.

He gives account of what he represented to the archbishop viceroy of New Spain in the matter of the conservation of the said province of New Mexico and its [present] state, a résumé of which he transmitted to his Majesty, and this religious now . . . for the reasons expressed, and sends the enclosed certified copy of *autos* concerning it.

The archbishop viceroy writes concerning this matter in a letter of June 19, 1679, enclosing *autos*, and it has been in the possession of the señor *fiscal* since October 16, 1679.

To the Señor Licentiate Otero: Report given by Ayeta of the relief that he conducted, and the representation that he made to the viceroy of the need of new succor of soldiers and of a presidio for ten years, of which the archbishop gave account to the Council. His report was requested for the señor *fiscal*.

[*Decree of the Council. Madrid, January 25, 1680*]

Council of January 25, 1680. Let it be taken to the señor *fiscal* so that it may be put with the letter that he has upon this matter from the señor archbishop viceroy. There is a rubric.¹²⁶

[*Reply of the fiscal. Madrid, February 7, 1680*]

The *fiscal*, in considering this letter and the certified document that comes with it, refers to the reply that he has made regarding the letter of the archbishop viceroy of New Spain of the date of June 19, 1679, since it is concerned with the same subject. Madrid, February 7, 1680. Issued.

Petition [of Father Fray Francisco de Ayeta. Undated. 1678?]

I, Francisco de Ayeta, of the Order of the seraphic father, Saint Francis, preacher, *procurador general*, and custodian of the provinces of New Mexico, request that, in accordance with the mandate of his Excellency—issued by reason of the resolution passed in the *junta general* that his Excellency should be pleased to order your Honor to cancel the bonds of contract given as security for the amounts that were granted me from this royal treasury for the pay of the fifty men and their food, for one thousand horses, one hundred arquebuses, and the saddles, swords, and servants for the said relief party, and the rest that is stated in the said order, for which purpose I present it—your Honor be pleased, after recording it and can-

¹²⁶ Parts of this *expediente* were omitted from the Bandelier copy; they have been added from the Bancroft Library copy of the same *expediente*.

celing the said bonds, to return the original to me, with a certification at the foot that the said bonds have been canceled. I beg and pray that your Honor will be pleased to order that it be done, so that I may receive the favor and justice that I expect. Fray FRANCISCO DE AYETA.

Auto. [Mexico, October 6, 1678]

In the City of Mexico, on the 6th day of the month of October, 1678, before the señores judges and royal officials of this court, this petition was presented, and after examining it, they declared that a report should be made of all the obligations performed by this party and that it should be brought to be acted upon. They signed it with rubrics before me, Don MARTÍN DE POSADA Y AGUSTO.

[Report of Joseph de Urrutia. Mexico, October 7, 1678]

In fulfillment of the *auto* issued by your Honor on petition of this party, inasmuch as it is ordered in it that a report shall be made of all the obligations fulfilled by the reverend father, Fray Francisco de Ayeta, *procurador general* and custodian of the provinces of New Mexico, and by Lorenzo de Garro, their syndic, in the matter of what was granted to him from this royal treasury in accordance with the mandates of this superior government of September 9 and October 19 of the past year of 1676, issued in conformity with the resolution passed in the *junta general de hacienda* to assist these provinces because of the attacks that were being made upon them by the Apache Indians, after examination of the bonds of contract that were made out for the said purpose to the aforesaid in this royal treasury, in virtue of the signed obligations and also of the notes and instruments of their fulfillment that he presented with this petition, what appears and is manifested by them is as follows:

The first charge placed upon them is in virtue of the obligation incurred by the said *procurador* and syndic to deliver, as soon as they should arrive in the said provinces, fifty cavalry saddles, one hundred short arquebuses, one hundred hilts, hooks, etc., for swords and daggers, and one thousand horses, the value of which was issued and paid from this royal treasury. This is satisfied by the said father *procurador* with a certified deposition given by Blas Griego, clerk of the *cabildo* of the city of Santa Fé, capital of that province, dated December 31, 1677, and inserted in the order of his Excellency, which he presents, by which it appears that he delivered all the articles mentioned.

The second charge and obligation is that the said father *procurador* should deliver as soon as he should arrive at the said provinces, to forty of the fifty convicts and their chief and sergeant who were delivered to him in this city, the sum of one thousand, two hundred and twenty-three pesos, two *tomines* and one *grano*, the amount of their salaries for two months, which the *junta general* mentioned directed that they should be given, to complete their salaries for six months, subtracting from each one the value of a cavalry saddle with its bridle, stirrups, and spurs, which he was also required to give them in the said provinces. In satisfaction of

this, it appears by the certified deposition of the clerk of the *cabildo* aforesaid that the father *procurador* had fulfilled this obligation, having given them their pay in the city of Santa Fé, capital of those provinces, in cash and in their own hands, except in the case of seven of the said convicts who were not paid because they had run away before the time came for the said payments to be made, although, as far as concerned the delivery that he was to make of their persons, he had already delivered six of them to the *maestre de campo general* of those provinces, Pedro de Leiba, in virtue of an order of the governor. In consequence of this there remained in his possession one hundred and twenty-six pesos, the amount that he was to have given to the said seven convicts for their salaries in *reales* at the rate of eighteen pesos each, in complement of the thirty that they were to have had for the two months [after subtracting the value of the saddles]. This amount the said father *procurador* paid into this royal treasury on the fifth day of the present month and year. The eighty-four pesos remaining were subtracted for the value of seven saddles at the rate of twelve pesos each. He had given the saddles to the said seven convicts (as well as to the others) before they fled, and although six of them carried off six saddles, three arquebuses, and fifty-seven horses, the loss was not laid to the account of the said father *procurador*, because it happened, as has been said, after he had delivered them to the *maestre de campo* of the said provinces.

The third charge incurred by the said father *procurador* was that of seven hundred and eighty pesos, the remainder of nine hundred which made up the pay for six months of ten convicts who were among the fifty delivered to him, with which he was to have paid them, according to the resolution passed in the said *junta*, in cash and in hand, for the four months in this city and the two more in those provinces, less the value of the saddles, bridles, stirrups, and spurs, which he had to deliver to them the same as to the others on account of their salaries. The said sum remained in the possession of the father *procurador*, inasmuch as the ten convicts received no salary whatever, having been condemned to serve his Majesty without any. According to the certified testimony of Pedro del Castillo, clerk of the chamber of the royal criminal court, which was sent to this royal treasury, at the time when the muster of the said convicts was made, which was on the 26th of February of the past year of 1677, the said sum was given and paid to him, in virtue of the warrant of the 24th of the said month, together with the amount of salaries of the rest of the convicts, because at that time it was not known that any were to be excluded from receiving salaries. The father *procurador* therefore was directed to return this sum to the royal treasury, which he did on the 5th day of this present month and year, when he paid into this royal treasury the said seven hundred and eighty pesos remaining from the said nine hundred, the other hundred and twenty pesos being subtracted for the value of ten cavalry saddles, which, with all that pertained to them, were delivered to the said ten convicts when they arrived in those provinces. With the foregoing and the cited instruments presented by the said father *procurador*, satisfaction is given to the obligations and bonds which were signed in this

royal treasury, and they remain at present in it, among the others that are under my charge, to which I refer. Mexico, October 7, 1678. JOSEPH DE URRUTIA.

Auto [of the royal officials. Mexico, October 8, 1678]

In the City of Mexico, on the eighth day of the month of October, 1678, the señores judges and royal officials of this court, having examined the statement made by Joseph de Urrutia, second official of the debit book of this royal treasury, in which are manifested the obligations incurred by the reverend father, Fray Francisco de Ayeta, *procurador general* and custodian of the provinces of New Mexico, and by Lorenzo de Garro, their syndic, for the sums that were delivered to them for the purpose of purchasing various things, and since it appears by the order presented from his Excellency that they have fulfilled all of their obligations, as stated in it, in accordance with the resolution passed in the *junta general*, and as is set forth in each one of the articles of the statement made by the said official, and inasmuch as they have paid into this royal treasury the sums that they were under obligations to return to it, the judges and royal officials therefore order that the obligations incurred by the said syndic be canceled, noting on the bonds of contract that each has been satisfied in all that concerned it. Let certifications of the payments made be placed with these *autos*, and with the order of his Excellency, and let a literal certified copy be made of all of them, so that they may remain with the papers touching upon this matter in the possession of the said official of the debit book. Let the original be returned to the said father custodian, so that it may remain in his hands, as is proper, and let it be noted on all the warrants issued for this purpose that he has fulfilled the obligations that he incurred. Signed by Don FERNANDO DECA Y ULLOA, Don ANTONIO DEL ROZAL, Don SEBASTIÁN DE GUZMÁN, before me, Don MARTÍN DE POSADAS Y AGURTO.

Order [of the viceroy to the señor fiscal. Mexico, October 5, 1678]

Maestro Don Fray Payo de Rivera, archbishop of Mexico, member of the Council of his Majesty, his viceroy, lieutenant governor, and captain-general of this New Spain, and president of its royal audiencia. Inasmuch as the following petition was presented before me:

[Here follows the "Petition of Father . . . Ayeta," which constitutes a document in the testimony accompanying the viceroy's letter of June 19, 1679. It is printed above (pp. 286-287) and for that reason is omitted here.—Editor.]

It was ordered that it be given for examination to the señor *fiscal* of his Majesty, who made this reply:

[Here follows the "Reply of the señor *fiscal*," of September 11, 1678. This is printed above (pp. 287-289) as part of the testimony accompanying the viceroy's letter of June 19, 1679.—Editor.]

Thereupon I sent it to the *junta general*, with these certified copies of documents which were presented and the content of which is as follows:

[Here follow the "Attestation of Blas Griego"; the "Petition of Father . . . Ayeta"; the "*Auto* . . . of Otermín"; and the "Attestation of . . . Otermín." These documents are printed above (pp. 290-294) as part of the testimony accompanying the viceroy's letter of June 19, 1679.—Editor.]

Having considered the above in the said *junta general de hacienda* which I held on the 28th of September of this year with the señores [mentioned] present, in conformity with what was resolved therein, and inasmuch as from the documents presented it appears that the said father custodian and the chief commissary, Lorenzo Garro, have made the deliveries as required of them, and that the six soldiers who fled did so after they had been turned over to the *maestre de campo* of those provinces, and that the one hundred and twenty-six pesos assigned to the seven soldiers who fled have been paid into the royal treasury of this court, by these presents I declare that he [Father Ayeta] has fulfilled the obligation under which he was placed to deliver the succor that he conducted to the provinces of New Mexico, and I order the royal officials of the royal treasury of this court to cancel the bond of contract that the syndic of that *custodia* and of those carts signed for their security. And in view of the fact that the soldiers were supported for the three months that they spent on the journey over and above the six arranged for, and that the frontiers of Cuarac and Senecú were supplied, as also were the soldiers stationed in the villa of Santa Fé, with the provisions and arms that have been spoken of—all at the expense of the savings from the allowances of the religious—in the name of his Majesty I give thanks to the said father custodian, Fray Francisco de Ayeta, for the good work that he has done in the service of both Majesties. Mexico, October 5, 1678. Fray PAYO, archbishop of Mexico. By order of his Excellency. MANUEL SARIÑANA [*sic*].

Order [of the viceroy. Mexico, February 16, 1677]

Maestro Don Fray Payo de Rivera, archbishop of Mexico, member of the Council of his Majesty, his viceroy, lieutenant governor, and captain-general of this New Spain, and president of its royal audiencia. Inasmuch as Fray Francisco de Ayeta has represented to me that it was resolved by the *junta general de hacienda* to send fifty men to the relief of the provinces of New Mexico, and since it appears from the certified documents that he presents from the secretary of the royal criminal court that he has forty-two [from that source], and that through his own efforts he has secured eight more volunteers entirely satisfactory to him, making up the said number of fifty, and since, in order that the royal officials of this court might enlist them as volunteers and pay and provision them the same as the others, as also the commander, commissary, and sergeant who will conduct them, each in accordance with his rank, he prayed that I be pleased to order that the royal officials of this court immediately and without delay open enlistments, and pay and provision the aforesaid men—this matter having been examined by me, by the present writing I order that the official judges of the royal treasury of this court shall enlist the forty-

two men and the eight secured by Father Fray Francisco de Ayeta, and pay and provision them in the manner resolved upon in the *juntas generales* of September 9 and October 12 of the past year of 1676, and that they shall do the same with regard to the commander and commissary, and the sergeant, in accordance with their rank. Upon receipt of this order and the other necessary documents, let the sum that it amounts to be conveyed to them immediately. Mexico, February 16, 1677. Fray PAYO, archbishop of Mexico. By order of his Excellency. MANUEL SARIÑANA.

It agrees with the original order of his Excellency mentioned above, to which I refer, and which is now in the auditor's office of the *real hacienda*, where this copy was made. Mexico, February 22, 1677. FRANCISCO DE MONTOTO, clerk.

Petition [of Father Fray Francisco de Ayeta. Undated.]

Fray Francisco de Ayeta, preacher, *procurador general*, and present custodian of the *custodia* of the conversion of San Pablo of New Mexico. I declare that by the certified document which I present it appears that more than forty-two men are sentenced to serve his Majesty in the said provinces of New Mexico, and that five more have been recently sentenced, making altogether forty-seven convicts, and your Honor has ordered in your *auto* that eight volunteers be enlisted. In conformity with the order of his Excellency, and so that the said enlistment may be understood to comprise three volunteers only, since sentence has now been passed upon forty-seven, thus making up the number of fifty which it has been ordered by the *junta de hacienda* shall be sent as relief, I beg and pray that your Honor will order that the enlistment of the convicts shall be in the manner aforesaid, of forty-seven convicts and three volunteers. With this I shall receive the favor and justice for which I petition, etc. Fray FRANCISCO DE AYETA.

Auto. [Mexico, February 23, 1677]

In Mexico on the 23d of February, 1677, before the señores judges, royal officials of this court, the aforesaid presented this petition, and, after it had been considered by their Honors, they declared that the enlistments should be made as ordered, comprising forty-seven convict soldiers and three volunteers, as is requested, and that this should be placed with the other *autos*. They signed it with rubrics. Let it be enclosed with the warrant that is to be issued to this party, as ordered, so that it may go as instrument of the act, *ut supra*. Before me, FRANCISCO DE MONTOTO, clerk.

[Verification of Francisco de Montoto. Mexico, February 24, 1677?]

It agrees with the original, which, with the order that is noted on the reverse, went as instrument of the warrant that on the 24th of this present month of February, 1677, was issued to the reverend father, Fray Fran-

cisco de Ayeta, for the sum of five thousand, six hundred and nine pesos, seven *tomines*, and five *granos*, and from which I took this copy in Mexico, on February 24, 1677.¹²⁷ Witnesses, JOSEPH DE ANGULO and JUAN DE PUERTO, residents of Mexico, I make my signature in testimony of its truth. FRANCISCO DE MONTOYO.

Montoyo, Francisco de. Attestation and list of those who are going to relieve the provinces of New Mexico. Mexico, February 27, 1677

In fulfillment thereof, I, the said Francisco de Montoyo, clerk of his Majesty and deputy of the chief [clerk] of mines, registers, and *real hacienda* of this court, testify that it is true that the reverend father, Fray Francisco de Ayeta, of the Order of Saint Francis, *procurador general* and custodian of the province of the conversion of San Pablo of the said Order in New Mexico, in the presence of the señores judges and royal officials of this court, Captain Don Fernando de Deza y Ulloa, *factor*, Treasurer Don Antonio del Rozal y Ríos, and Accountant Don Sebastián de Guzmán y Córdoba, satisfied and paid, in cash and in hand, the forty-seven convict soldiers and three volunteers who, in this present year of 1677, are to go to the relief of the provinces of New Mexico, and also the commander and commissary, and the sergeant of the said troops, the amount in gold pesos that was assigned as the share of each one who received a salary in this manner.

COMMANDER-IN-CHIEF AND COMMISSARY

On the 26th of this present month of February, 1677 (the day on which these people were mustered in and equipped), there was paid to Lorenzo del Garro, commander and commissary appointed by the most excellent señor viceroy and archbishop of Mexico, Don Fray Payo de Rivera—in accordance with his appointment of the 25th of last January of this said year, countersigned by Manuel Sariñana, and with the order of his Excellency (a copy of which is at the head of these certified documents) dated on the 16th of this present month and year, countersigned by the said secretary—the sum of six hundred and seventy-one pesos in current gold in *reales*, as his salary for four months in advance at the rate of four Castilian ducats a day. He is to receive the salary for the remaining two months of the six, for which he was ordered to be paid by the said father custodian when he shall have arrived in those provinces.

671 pesos.

SERGEANT

On the day of February 26 of the year 1677, Andrés de Razaval, sergeant of the commander and commissary appointed by the most excellent señor viceroy to conduct the said people—in accordance with the

¹²⁷ Apparently a line has been omitted after the word "veinte" in the Spanish text. According to the typewritten catalogue of documents in the Ayer collection, this *Verificación* was dated Feb. 24, 1677.

warrant that was issued to him by his Excellency on the day of January 25th of this said year, countersigned by Manuel Sariñana, and with the order cited in the article preceding this—received from the father custodian sixty-eight pesos as his salary for four months, at the rate of one hundred and fifty Castilian ducats a year, that were assigned to him by reason of his office, as he is to receive the salary for the other two months from the said father custodian when he shall have arrived in those provinces. 68 pesos.

VOLUNTEER SOLDIERS

Lázaro de Mizquia,¹²⁸ son of Domingo, native of the villa of Motrico in the province of Guipuzoca, twenty-four years of age, very tall, fair, with a broad face, large forehead, and thick eyebrows, enlisted as a volunteer soldier on the said day, the 26th of February, and received sixty pesos for the four payments of four months in advance; the two remaining of the six are to be paid to him in New Mexico by the father custodian, according to the order of his Excellency. 60 pesos.

Marcos de las Heras, son of Martín, native of Santander, twenty-two years of age, good body, pitted with smallpox, small forehead and thick eyebrows, enlisted as a volunteer soldier on the said day and received a like sum for the same reason. 60 pesos.

Luis de Ayala, son of the same, born in Mexico at San Lorenzo, seventeen years of age, good body, fair and ruddy, blue eyes and large forehead, enlisted as a volunteer soldier on the said day and received another sixty pesos for the reasons stated. 60 pesos.

CONVICTS

Andrés de Cuellar, son of Francisco, born in Mexico at Santiago Flotilulco, eighteen years of age, good body, broad face much pitted with smallpox, is condemned to serve his Majesty in New Mexico for the term of two years, with the regular pay and salary, and on the said day of February 26 he received sixty pesos for the same reason and with the condition that is stated in the entry of Lázaro de Misquia. 60 pesos.

Digo [Diego?] Antonio Leal, son of Juan, native of the city of Seville, twenty-three years of age, good body, fair, pitted with smallpox, large nose and thick eyebrows, is condemned to serve his Majesty in New Mexico for the term of two years without salary.

Don Joseph de Goitán, son of Don Juan, native of the city of Los Angeles, forty years of age, very tall, scars on the face, broad face and thick nose, is condemned to serve his Majesty for the term of two years as a soldier with a salary, and received on the said day sixty pesos, in the manner stated in the entry of Lázaro de Misquia. 60 pesos.

Simón de Molina, Spanish, son of Don Tomás, born in Mexico at San Juan, twenty-six years of age, medium height, broad-faced, large eyes

¹²⁸ Elsewhere occasionally spelled Musquia.

and nose, is condemned for six years, with the regular pay and salary of a soldier, and received on the said day a like sum for the same reason.

60 pesos.

Juan Gonzales, *mestizo*, son of Francisco, native of the province of Huichiapa, thirty years of age, good body, dark complexion, broad face, thick nose and small forehead, is condemned for six years with the regular pay and salary and received a like number of pesos.

60 pesos.

Juan Blanco, Spaniard, son of Diego, native of the pueblo of Xalapa, fifteen years of age, medium height, fair, large forehead, thick eyebrows, and short nose, is condemned for an indefinite time to be a soldier with the regular pay and salary, and on the said day of February 26 received sixty pesos, for the same reason that is stated in the entry of Lázaro de Misquia.

60 pesos.

Eusebio Blanco, Spaniard, son of Diego, native of the pueblo of Xalapa, fifteen years of age, medium height, large forehead, short nose, and rather thick eyebrows, is condemned to be a soldier for an indefinite term with the regular pay, and on the said day received a like sum for the same reason.

60 pesos.

Juan Yllescas, Spaniard, son of Diego Hernández, born in Mexico at La Santísima Trinidad, twenty years of age, tall, long face, large nose, small forehead, is condemned to serve for four years as a soldier, with the regular pay, and received on the said day sixty pesos for the reason that is stated in the entry of Lázaro de Misquia.

60 pesos.

Antonio de Agurto, *mestizo*, son of Cristóbal de Molina, born in Mexico at La Alcaizeria, twenty-three years of age, tall, broad face, large mouth and nose, and thick eyebrows, is condemned to serve as a soldier for the term of six years, with the regular pay and salary, and on the said day received sixty pesos for the reason that is stated in the entry of Lázaro de Misquia.

60 pesos.

Juan Gómez Cavello, son of Nicolás Sánchez, born in Mexico at San Juan, twenty years of age, good body, long face, scar of a wound on the chin on the right side, and thick eyebrows, is condemned to serve as a soldier for six years, with the regular pay and salary, and received on the said day sixty pesos, for the reason mentioned.

60 pesos.

Joseph Cortés, Spaniard, son of Nicolás, native of the pueblo of San Salvador el Verde, twenty-six years of age, good body, dark ruddy complexion, small forehead, and thick eyebrows, is condemned to serve his Majesty for two years as a soldier, with the regular pay, and received on the said day sixty pesos, for the reason that is stated in the entry of Lázaro de Misquia.

60 pesos.

Diego de Labra, Spaniard, son of Juan, born in Mexico at El Hornillo, seventeen years of age, fair, moles on the face, short nose, large mouth, goes with his own consent and by *auto* of the señores of the royal criminal court, to serve his Majesty as a soldier with the regular pay and salary, and on the said day of February 26 received sixty pesos, for the reason that is stated in the entry of Lázaro de Misquia.

60 pesos.

José López, Spaniard, son of Francisco Ybarra Salazar, twenty-five years of age, born in Mexico at San Pablo, good body, fair, large eyes

and mouth, and thick eyebrows, is sentenced by the señor judge of the manufactory of playing cards [*juez de la fábrica de los naipes*] to serve for the term of two years, with the regular pay and salary, and on the said day he received sixty pesos, for the reason that is stated in the entry of Lázaro de Misquia. 60 pesos.

Joseph de la Paz, Spaniard, son of Nicolás, native of La Puebla, thirty years of age, good body, much pitted with smallpox, dark complexion, and large eyes, is condemned for six years with the regular pay and salary, and on the said day received sixty pesos for the same reason.

Don Juan Severino, Spaniard, son of Captain Clemente Rodríguez, native of the city of Seville, twenty-two years of age, good body, dark complexion, large forehead, thick eyebrows, and very large nose, is condemned to serve his Majesty as a soldier for an indefinite time, with the regular salary, and on this day received sixty pesos for the said reason. 60 pesos.

Phelipe López García, Spaniard, son of the same, native of the pueblo of Guitepeque, twenty years of age, dark complexion, large forehead, short nose, and large mouth, is condemned to serve his Majesty with his own consent and by order of the señores alcaldes, with the regular pay and salary, and on the said day received sixty pesos, for the reason that is stated in the entry of Lázaro de Misquia. 60 pesos.

Antonio de Castro, Spaniard, son of Albaro, native of the villa of León, forty years of age, very tall, flat [nose], large forehead, and blue eyes, is condemned to serve his Majesty as a soldier with the regular pay and salary for the term of four years, and this day received sixty pesos, for the reason stated. 60 pesos.

José de Alvarado, Spaniard, son of Don Nicolás, native of Mexico and born at Jesús Nazareno, twenty-nine years of age, good body, dark complexion, large eyes, and thick eyebrows, is condemned to serve for the term of four years as a soldier, with the usual pay and salary, and this day received sixty pesos. 60 pesos.

Gaspar Luis, *mestizo*, son of Francisco, native of Las Amilpas, twenty-three years of age, medium height, dark complexion, long face, small forehead, and thick eyebrows, is condemned to serve as a soldier for an indefinite period, with the usual pay, and on the said day received sixty pesos, for the reason that is stated in the entry of Lázaro de Misquia. 60 pesos.

Joachín de Roxas y Bonilla, Spaniard, son of Bernabe, born in Mexico near the cathedral, twenty-five years of age, good body, fair, long face, small forehead, and thick eyebrows, is condemned to serve as a soldier for the term of four years, with the usual pay and salary, and on the said day received the sum of sixty pesos for the same reason. 60 pesos.

Juan de Dios, Spaniard, son of the same, native of the pueblo of Tacuba, twenty-eight years of age, good body, long face, sunken eyes, thick eyebrows, and dimple in the chin, is condemned to serve for two years as a soldier, with the usual pay and salary, and received sixty pesos. 60 pesos.

Juan Santiago, *mestizo*, son of the same, a native of Mexico and born at San Juan de la Penitencia, twenty years of age, good body, full face, long nose, and small forehead, is condemned with his own consent and the *auto* of the señores to serve as a soldier for the term of six years, with the usual pay and salary, and received on the said day sixty pesos.

60 pesos.

Francisco Blanco de la Vega, Spaniard, son of Andrés, a native of La Puebla, aged fifteen years, medium height, dark complexion, thick eyebrows and small eyes, is condemned for the term of four years with his own consent and by *auto* of the señores, with the usual pay and salary, and received on the said day a like sum.

60 pesos.

Juan Roxas, Spaniard, son of Francisco, born in Mexico at San Juan, twenty-six years old, tall, dark, eyebrows meeting, and small forehead, is condemned to the term of six years, with the usual pay and salary, and on the said day of February 26 received sixty pesos, for the reason that is stated in the entry of Lázaro de Misquia.

60 pesos.

Salvador Zamorano, *mestizo*, son of Lucas, born in Mexico at El Carmen, twenty-four years old, good body, broad face, small forehead, and thick eyebrows, is condemned to serve as a soldier with the usual pay and salary for an indefinite period, and received on the said day a like sum in pesos, for the same reason.

60 pesos.

Joseph de Guadarrama, Spaniard, son of Gabriel, a native of the valley of Toluca, twenty years of age, good body, dark, long face, and sunken eyes, is condemned to serve as a soldier with the usual pay and salary, and on the said day received sixty pesos.

60 pesos.

Thomás de Alizo, Spaniard, son of Juan Manso, native of the villa of San Miguel, twenty-four years old, good body, dark, long face, large forehead, and thick eyebrows, is condemned to serve for the time that he may wish as a soldier, with the usual pay and salary, and received sixty pesos.

60 pesos.

Marcos Ramos, Spaniard, son of Joseph, native of Mexico and born at Santa Catalina Martir, seventeen years old, good body, dark complexion, broad face, and short nose, is condemned for two years as a soldier, with the usual pay and salary, and received on the said day sixty pesos.

60 pesos.

Domingo García, Spaniard, son of the same, native of the villa of Carrión, Valley of Atrisco, fifty years old, good body, fair, large forehead, and sunken eyes, is condemned for eight years without salary.

Francisco Rascón, Spaniard, son of Don Nicolás, native of La Puebla, twenty-seven years old, good body, fair, bushy hair, large forehead, and a scar of a wound in the right eyebrow, is condemned for eight years without salary.

Joseph de la Serna, Spaniard, son of Estevan, a native of La Puebla, thirty-one years old, medium height, dark complexion, long face and large nose, is condemned for two years without salary.

Manuel Martín, son of Sebastián, native of Ayamonte, twenty-nine years of age, tall, dark, sunken eyes, and short nose, is condemned for six years without salary.

Bernardo de la Fuente, son of Francisco, born in Mexico at La Merced, forty-eight years old, good body, dark, large forehead, and short nose, is condemned for four years without salary.

Pedro de Cuellar, son of Juan de la Cruz, native of the kingdom of Guatemala, thirty years of age, tall, fair, broad face, large forehead and thick eyebrows, is condemned for four years without salary.

Joachín de Roxas, son of Nicolás, born in Mexico at La Alameda, aged nineteen years, medium height, dark, short face and large eyes, was condemned by his Excellency in the military court to four years without salary.

Cristóbal de Velasco, son of Francisco, born in Mexico, on the street of San Francisco, twenty-five years old, tall, fair, freckled, small and sunken eyes, is condemned by his Excellency to six years without salary.

Domingo de Aguirre, Spaniard, son of Francisco, native of San Salvador el Verde, twenty-one years old, medium height, broad-faced, dark, eyes large and nose thick, is condemned for four years with the usual pay and salary, and on the said day of the 26th of February of this present year he received sixty pesos, for the reason that is stated in the entry of Lázaro de Misquia. 60 pesos.

Francisco de Aguilar, Spaniard, son of the same, a native of La Puebla, thirty-eight years of age, medium height and heavy build, dark, a dimple in the chin, was condemned by the court of first instance and the señor *auditor de la guerra* to the term of two years as a soldier, with the usual salary, and on the said day received sixty pesos. 60 pesos.

Bachiller Antonio de Barbas, Spaniard, son of Alonso, born in Mexico at La Alcaiceria, twenty-one years old, good body, fair, long face, and large eyes, is condemned by the señor ecclesiastical judge and by order of the señores *alcaldes* of the royal criminal court to serve as a soldier for two years with the usual salary, and received sixty pesos. 60 pesos.

Antonio de Ayala, Spaniard, son of the same, born in Mexico at San Lorenzo, twenty-one years old, good body, fair, long face, large forehead and thick eyebrows, is condemned with his consent and the order of the said señores *alcaldes*, with the usual pay and salary, and received sixty pesos, for the reason stated in the entry of Lázaro de Misquia. 60 pesos.

Bachiller Francisco de Velasco, Spaniard, son of Joseph, born in Mexico, on San Francisco Street, eighteen years of age, good body, fair, long face, large forehead, and thick eyebrows, is condemned by the ecclesiastical judge and the *auto* of the royal court to the term of two years as a soldier, with the usual pay and salary, and received sixty pesos on the said day. 60 pesos.

Francisco García, son of Antonio, a native of Cádiz, twenty-eight years old, good body, fair, broad face, thick eyebrows, and sunken eyes, is condemned to serve his Majesty for eight years without salary.

Antonio de Soto, Spaniard, son of Francisco, a native of the pueblo of Xocotistlán—I should say son of Don Diego Galazar, born in Mexico, on the street of El Relox—twenty-five years old, medium height, fair, bushy hair, is condemned with his consent and the *auto* of the señores *alcaldes* to

serve as a soldier with the usual pay and salary, and on the said 26th day of February received sixty pesos. 60 pesos.

Nicolás de Varrios, Spaniard, native of the pueblo of Tocatitlán, twenty-nine years old, good body, fair, long face, large forehead, and thick eyebrows, is condemned to serve as a soldier with the usual salary, and on the said day received sixty pesos, for the reason that is stated in the entry of Lázaro de Misquia. 60 pesos.

Joseph Sánchez, *mestizo*, son of Nicolás de Olivares, born in Mexico at the Arzobispal, twenty years of age, medium height, dark, flat-nosed, small forehead and black hair, is condemned at his own suggestion to serve as a soldier, with the usual salary, and on the said 26th day of February, 1677, received sixty pesos for the reason that is stated in the first item, that of Lázaro de Misquia. 60 pesos.

Phelipe López, Spaniard, son of Juan, born in Mexico at San Pablo, twenty years old, good body, dark, mole on the right cheek, long face, and small forehead, is condemned with his own consent and suggestion and the *auto* of the señores to serve as a soldier, with the usual salary, and on the said day received sixty pesos for the said reason. 60 pesos.

Joseph Maldonado Zapata, Spaniard, son of Nicolás, born at the brick-kilns of San Andrés, twenty-three years old, good body, broad face, large forehead, thick eyebrows, who presented himself and at his own offer and the order of the señores alcaldes goes to serve his Majesty as a soldier for the term of two years, with the usual pay and salary; and on the said 26th day of February he received sixty pesos, for the reason that is stated in the first article, that of the entry of Lázaro de Misquia. 60 pesos.

The above appears more in detail in the original list that remains in the office of the said chief clerk of mines, registers, and *real hacienda*, to which I refer, and by petition of the reverend father preacher, *procurador general*, and custodian of the said provinces of New Mexico, Fray Francisco de Ayeta, of the Order of our father, Saint Francis, I issue the present writing in Mexico on the 27th of February, 1677. Witnesses, Bernardino de Chaves, Juan del Puerto, and Joseph de Ángulo, residents of this said City of Mexico. I make my signature in testimony of the truth. FRANCISCO DE MONTOTO.

Verification. [Mexico, February 27, 1677]

We attest that Francisco de Montoyo, by whom it appears that the deposition on the preceding three pages was signed, is clerk to his Majesty, and deputy chief clerk of mines, registers, and *real hacienda* of this court, and as such is at present using and exercising his said office, and to all the *autos*, writings, powers of attorney, and other instruments that have been and are passed before the aforesaid [clerk] he has given full certification and authority, judicially and extra-judicially; and in order that it may be manifested we issue these presents in the City of Mexico, on the 27th of the month of February, 1677. THOMÁS RODRÍGUEZ DE LA FUENTE, clerk to his Majesty. ANTONIO DE ARMENTA, royal clerk. FRANCISCO DE VILENA, royal clerk.

Certification [of Don Antonio de Otermín, Santa Fé, February 12, 1678]

Don Antonio de Otermín, governor and captain-general of this kingdom and province of New Mexico for his Majesty. I certify and attest to our lord, the king, [as represented] in his viceroy, *real acuerdo*, and all the other tribunals of the royal court of Mexico where the present writing may appear, that the very reverend father preacher, Fray Francisco de Ayeta, custodian, ecclesiastical *juez ordinario* and *procurador general* of these provinces of New Mexico, paid and settled before me, in cash and in hand, actually and in fact, the settlement and final quittance of the salary that his Majesty was pleased to give to the soldiers, to the captain, commander, and commissary, Lorenzo de Garro, and to the sergeant, Andrés de Rezaval, whom he paid, with their assent, in the following manner :

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| To Lorenzo de Garro, commander and commissary of the said people, in settlement and final quittance of his salary, three hundred and thirty-five pesos and four <i>tomines</i> . | 335 pesos, 4 <i>tomines</i> . |
| To Andrés de Razaval, sergeant of the said commander, for the said purpose of the settlement of his salary, thirty-four pesos. | 34 pesos. |
| To Lázaro de Misquia, volunteer soldier, for the same purpose of the settlement of his salary, eighteen pesos. | 18 pesos. |
| To Marcos Heral, ¹²⁹ volunteer soldier, for the same purpose, eighteen pesos. | 18 pesos. |
| To Luis de Ayala, volunteer soldier, for the same purpose, eighteen pesos. | 18 pesos. |
| To Andrés de Cuellar, convict, for the said reason that he came with a salary [assigned], eighteen pesos. | 18 pesos. |
| To Don Joseph de Goitia, ¹³⁰ convict, for the said reason that he drew a salary, eighteen pesos. | 18 pesos. |
| To Simón de Molina, convict, for the said reason that he drew a salary, eighteen pesos. | 18 pesos. |
| To Juan Blanco, convict, for the said reason that he drew a salary, eighteen pesos. | 18 pesos. |
| To Eusebio Blanco, convict, for the said reason that he drew a salary, eighteen pesos. | 18 pesos. |
| To Juan de Yllesea, ¹³¹ convict, for the said reason, eighteen pesos. | 18 pesos. |
| To Juan Gómez Cavello, for the said reason, eighteen pesos. | 18 pesos. |
| To José Cortés, convict, for the said reason, eighteen pesos. | 18 pesos. |
| To Diego de Labra, convict, eighteen pesos. | 18 pesos. |
| To José López, convict, eighteen pesos. | 18 pesos. |
| To Don Juan Severino, convict, eighteen pesos. | 18 pesos. |
| To Felipe López García, convict, eighteen pesos. | 18 pesos. |
| To Joseph de Alvarado, convict, for the same reason as the others, eighteen pesos. | 18 pesos. |
| To Gaspar Luis, convict, eighteen pesos. | 18 pesos. |
| To Joaquín de Bonilla y Rojas, convict, for the said reason of the salary mentioned, eighteen pesos. | 18 pesos. |
| To Juan de Dios, convict, eighteen pesos. | 18 pesos. |

¹²⁹ Previously spelled "Heras."

¹³⁰ Previously spelled "Goitán."

¹³¹ Previously spelled "Yllescas."

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| To Juan de Santiago, convict, eighteen pesos. | 18 pesos. |
| To Francisco Blanco de la Vega, convict, for the said reason, eighteen pesos. | 18 pesos. |
| To Juan de Roxas, convict, for the said reason, eighteen pesos. | 18 pesos. |
| To Salvador Zamorano, convict, eighteen pesos. | 18 pesos. |
| To Joseph de Guadarrama, convict, eighteen pesos. | 18 pesos. |
| To Thomás de Alizo, convict, for the reason mentioned, eighteen pesos. | 18 pesos. |
| To Marcos Ramos, convict, for the said reason, eighteen pesos. | 18 pesos. |
| To Domingo de Aguirre, convict, eighteen pesos. | 18 pesos. |
| To Francisco de Aguilar, convict, for the said reason that he drew a salary, eighteen pesos. | 18 pesos. |
| To Antonio de Vargas, convict, eighteen pesos. | 18 pesos. |
| To Antonio de Ayala, convict, for the said reason, eighteen pesos. | 18 pesos. |
| To Francisco de Velasco, convict, for the said reason, eighteen pesos. | 18 pesos. |
| To Antonio de Soto, convict, for the said reason, eighteen pesos. | 18 pesos. |
| To José Sánchez, convict, for the said reason that he drew a salary, eighteen pesos. | 18 pesos. |
| To Phelipe López, convict, for the said reason of the salary, eighteen pesos. | 18 pesos. |

A muster and list was made of all those here mentioned in order to give them, as was done, the royal pay and settlement of salary in the manner aforesaid, and the volunteer soldiers, as appears from the statement and list, and those who drew no salary, are with the others mentioned in the royal service. Of the entire number of the said fifty men seven were lacking. One named Joaquín de Roxas y Zapata who was afflicted with epilepsy and because he had fallen several times from the cart in which he was riding and wished to kill himself, was released from his fetters, and in the jurisdiction of El Parral, at La Gómara, he ran away. At El Paso del Río del Norte the other six ran away, they having been placed on guard over the horses because of the manifest danger of attack by the hostiles. Their names are as follows: Juan Gonzales, Antonio de Agurto, José de la Paz, Antonio de Castro, Nicolás de Varrios, Joseph de Maldonado. They took with them three arquebuses belonging to his Majesty, and a number of animals, saddles, bridles, and spurs, and it has not been possible to recover them. In order that it may be seen what poor pay they gave to the said very reverend father preacher, Fray Francisco de Ayeta, custodian, ecclesiastical judge, and *procurador general* of these provinces, who has fulfilled the duty with which he was charged in all concerning the royal service of his Majesty (whom may God preserve), by his petition, and in order that it may appear and be attested in all the necessary tribunals, I issued to him the present writing, signed by my name and countersigned by the secretary of government and war. Done in this villa of Santa Fé, capital of this kingdom and province of New Mexico, on the 12th day of the month of February, 1678. DON ANTONIO DE OTERMÍN. Before me, MARCOS DE HERAS, clerk of government and war.

[Here follows the cedula of June 18, 1678, which is printed above (see pp. 296-297) as part of the testimony accompanying the viceroy's letter of June 19, 1679.—Editor.]

Obedience. [Mexico, December 15, 1678]

In the City of Mexico, on the 15th day of the month of December, 1678, the most illustrious and most excellent señor *maestre*, Don Fray Payo de Rivera, archbishop of Mexico, member of his Majesty's Council, his viceroy, lieutenant governor, and captain-general of this New Spain and president of its royal audiencia, having examined the royal cedula of his Majesty (whom may God preserve) on the preceding pages, his Excellency obeyed it with the reverence and respect due, and ordered that a copy of it be placed with the *autos*, and that a memorandum be made of it in the tribunal of accounts of this kingdom and in the books of the royal treasury of this court, and that a copy of this royal cedula be delivered to the representative of the *custodias* of New Mexico. Fray PAYO, archbishop of Mexico. By order of his Excellency. MANUEL SARIÑANA.

[Verification. Mexico, May 2, 1679]

It agrees with the original royal cedula which at present remains in the secretariat of government and war of this New Spain in charge of Don Pedro Velásquez de la Cadena, knight of the Order of Santiago, where I, Manuel Sariñana, a clerk to the king, our lord, and chief official and deputy of it, caused it to be drawn, by command of the most excellent señor archbishop viceroy, in order to deliver it to the representative of the *custodias* and province of New Mexico, on the second day of the month of May, 1679. The witnesses to the copying, correcting, and certifying were Don Diego Cortés de Puebla, Don Juan de Solís and Don Lorenzo Cayrasco de Vetancourt, residents of this said city.

Memorandum of the delivery of the certified copy of the royal cedula. [May 2, 1679]

I delivered this copy to the very reverend father preacher, Fray Francisco de Ayeta, present custodian and *procurador general* of both jurisdictions of the said provinces of New Mexico, on the said day of May 2, 1679, and he signed it with me. Fray FRANCISCO DE AYETA. MANUEL SARIÑANA.

[Here follow the "Petition of Father . . . Ayeta" of May 10, 1679; the "Decree of the viceroy" of the same date; and the "Reply of the señor *fiscal*" of May 16, 1679. These documents are printed above (pp. 296-306) as part of the testimony accompanying the viceroy's letter of June 19, 1679.—Editor.]

Decree of his Excellency

Mexico, May 24, 1679. As the señor *fiscal* requests. With a rubric by his Excellency.

[Verification of Francisco de Montoyo. Mexico, May 24, 1679]

It agrees with the originals that were written by the reverend father preacher, *procurador general*, and custodian of the provinces of New

Mexico, Fray Francisco de Ayeta, religious of the Order of Saint Francis, which were returned to his possession, to which, and to his acknowledgment of them, I attest, so that this may be made manifest wherever his rights require. By his petition and requisition I issued the present writing in the City of Mexico on the 24th day of the month of May, 1679, and he signed it. Witnesses, Juan del Puerto, Joseph de Ángulo, and Cristóval de Herrera, residents of Mexico. Fray FRANCISCO DE AYETA, custodian. Signed with a rubric.

Before me, and I affix my signature in testimony of the truth. FRANCISCO DE MONTOMOY, clerk of his Majesty. With a rubric.

[*Certification of the royal officials. Mexico, May 24, 1679*]

We certify that Francisco de Montomo, by whom it appears that this instrument is signed and sealed, is clerk to his Majesty and deputy of the chief clerk of mines, registers, and *real hacienda* of this New Spain, and as such is at present using and exercising his said office in the royal treasury of this court and City of Mexico; and to all the *autos*, writings, powers of attorney, and other instruments that have passed and pass before the aforesaid he has given and gives full authority and credit, judicially and extra-judicially. In order that it may so appear we certify and sign it in the City of Mexico, on May 24, 1679. It was signed by JUAN DIAS DE RIVERA, royal and public clerk. With a rubric. It was signed by JOSEPH DE PIEDRA CORTÉS, public clerk. With a rubric. JOSEPH DE VALDES, clerk. With a rubric.

[On the back is written:] "It came with a letter of Fray Francisco de Ayeta, of the Order of Saint Francis, custodian and *procurador general* of the province of New Mexico, of May 28, 1679."

MISCELLANEOUS GENERAL DOCUMENTS RELATING TO INDIAN UPRISINGS
IN NEW MEXICO, 1680-1698

*Letter from the Governor and Captain-general, Don Antonio de Otermín,
from New Mexico.*¹³² [September 8, 1680]

Don Antonio de Otermín, in which he gives him a full account of what has happened to him since the day the Indians surrounded him.

My very reverend father, Sir, and friend, most beloved Fray Francisco de Ayeta: The time has come when, with tears in my eyes and deep sorrow in my heart, I commence to give an account of the lamentable tragedy, such as has never before happened in the world, which has occurred in this miserable kingdom and holy *custodia*, His Divine Majesty having thus permitted it because of my grievous sins. Before beginning my narration I desire, as one obligated and grateful, to give your reverence the thanks due for the demonstrations of affection and kindness which you have given in your solicitude in ascertaining and inquiring for definite notices about both my life and those of the rest in this miserable kingdom, in the midst of persistent reports which had been circulated of the deaths of myself and the others, and for sparing neither any kind of effort nor large expenditures. For this only Heaven can reward your reverence, though I do not doubt that his Majesty (may God keep him) will do so.

After I sent my last letter to your reverence by the *maese de campo*, Pedro de Leyba, while the necessary things were being made ready alike for the escort and in the way of provisions, for the most expeditious despatch of the returning carts and their guards, as your reverence had enjoined me, I received information that a plot for a general uprising of the Christian Indians was being formed and was spreading rapidly.¹³³ This

¹³² In *Testimonio de Autos tocantes al Alzamiento de los Indios de la Provincia de la Nueva Mexico. Va con Carta del Señor Virrey Conde de Paredes del 28 de Febrero de 1681*, A. G. I., 67-3-32. (Guadalajara 138.)

The above excellent summary of the Pueblo Indian uprising was written by Governor Otermín nearly one month after the rebellion occurred. For a secondary account of the events covered by Otermín in the above letter that is based upon the official records as they accumulated in the period immediately following August 9, 1680, see Hackett, "The Revolt of the Pueblo Indians of New Mexico in 1680," in Texas State Hist. Assoc., *The Quarterly*, XV: 93-147 (October 1911). In the writing of this account the above letter was not available to the author.

¹³³ "At that time [1680] there were approximately 2,800 Spanish inhabitants in the province. Of this number the majority were settlers of the southern district, known as Rio Abajo, while the rest were for the most part living in the vicinity of the *villa* of Santa Fé. The occupation of the people was largely stock raising and intensive agriculture, and, while there was no regular *presidio*, there were a number of regular soldiers with headquarters at the *villa*. Besides the settlers and soldiers, there were the thirty-two Franciscan missionaries distributed throughout the province. The Governor and Captain-General was Don Antonio de Otermín, while his appointee, Alonso García, served as Lieutenant-Governor and Captain-General in Rio Abajo." Hackett, "The Revolt of the Pueblo Indians of New Mexico in 1680," *loc. cit.*, pp. 99-100.

Scholes ("Civil Government and Society in New Mexico in the Seventeenth Century," *loc. cit.*, p. 96) says that the total population of New Mexico "probably never exceeded

was wholly contrary to the existing peace and tranquillity in this miserable kingdom, not only among the Spaniards and natives, but even on the part of the heathen enemy, for it had been a long time since they had done us any considerable damage. It was my misfortune that I learned of it on the eve of the day set for the beginning of the said uprising, and though I immediately, at that instant, notified the lieutenant-general on the lower river and all the other *alcaldes mayores*—so that they could take every care and precaution against whatever might occur, and so that they could make every effort to guard and protect the religious ministers and the temples—the cunning and cleverness of the rebels were such, and so great, that my efforts were of little avail. To this was added a certain degree of negligence by reason of the [report of the] uprising not having been given entire credence, as is apparent from the ease with which they captured and killed both those who were escorting some of the religious, as well as some citizens in their houses, and, particularly, in the efforts that they made to prevent my orders to the lieutenant-general passing through. This was the place where most of the forces of the kingdom were, and from which I could expect some help, but of three orders which I sent to the said lieutenant-general, not one reached his hands. The first messenger was killed and the others did not pass beyond Santo Domingo, because of their having encountered on the road the certain notice of the deaths of the religious who were in that convent, and of the *alcalde mayor*, some other guards, and six more Spaniards whom they captured on that road. Added to this is the situation of this kingdom which, as your reverence is aware, makes it so easy for the said [Indian] *alcaldes* to carry out their evil designs, for it is entirely composed of *estancias*, quite distant from one another.

On the eve [of the day] of the glorious San Lorenzo, having received notice of the said rebellion from the governors of Pecos and Tanos, [who said] that two Indians had left the Theguas, and particularly the pueblo of Thesuque, to which they belonged, to notify them to come and join the

twenty-five hundred during the period from 1598 to 1680, and the average was much less than that. . . . The refugees who were able to reach the El Paso country numbered 1946 persons. Of these 155 were able to bear arms. At least 500 were servants, and among these there must have been a number of Pueblos and Apaches. Adding the number of killed [four hundred and one persons, including twenty-one friars] and missing to the number of refugees gives a total of about 2347, including servants. . . . It is apparent from many manuscript sources that during the fifteen years preceding 1680 New Mexico suffered from the double menace of famine and Apache raids, so that the total of 2347 on the eve of the revolt in 1680 may represent a total population lower than that of 1665-1670. In any case, the maximum probably never exceeded 2500."

Scholes seems to have underestimated slightly the Spanish population, including servants, of New Mexico in 1680. The total number of persons who passed the muster conducted by Governor Otermín after he had gotten almost to the site of present El Paso, Texas, was, according to the sworn statement of the governor, 1946. "During the retreat to La Salineta, Otermín, García, and others frequently stated that there were 2500 refugees in the two divisions. Of these it was estimated that there were 1500 in García's division and 1000 in Otermín's. Taking these estimates as being approximately correct, it is seen that at least several hundred of the refugees crossed into Nueva Vizcaya without having been listed at La Salineta." Hackett, "The Retreat of the Spaniards from New Mexico in 1680. . .", *loc. cit.*, p. 268, and sources there cited.

revolt, and that they [the governors] came to tell me of it and of how they were unwilling to participate in such wickedness and treason, saying that they now regarded the Spaniards as their brothers, I thanked them for their kindness in giving the notice, and told them to go to their pueblos and remain quiet. I busied myself immediately in giving the said orders which I mentioned to your reverence, and on the following morning as I was about to go to mass there arrived Pedro Hidalgo, who had gone to the pueblo of Thesuque, accompanying Father Fray Juan Pio, who went there to say mass. He told me that the Indians of the said pueblo had killed the said Father Fray Pio and that he himself had escaped miraculously. [He told me also] that the said Indians had retreated to the sierra with all the cattle and horses belonging to the convent, and with their own.

The receipt of this news left us all in the state that may be imagined. I immediately and instantly sent the *maese de campo*, Francisco Gómez, with a squadron of soldiers sufficient to investigate this case and also to attempt to extinguish the flame of the ruin already begun. He returned here on the same day, telling me that [the report] of the death of the said Fray Juan Pio was true. He said also that there had been killed that same morning Father Fray Tomás de Torres, *guardián* of Nambé, and his brother, with the latter's wife and a child, and another resident of Thaos, and also Father Fray Luis de Morales, *guardián* of San Ildefonso, and the family of Francisco de Anaya; and in Poxuaque Don Joseph de Goitia, Francisco Ximénez, his wife and family, and Doña Petronila de Salas with ten sons and daughters; and that they had robbed and profaned the convents and [had robbed] all the haciendas of those murdered and also all the horses and cattle of that jurisdiction and La Cañada.

Upon receiving this news I immediately notified the *alcalde mayor* of that district to assemble all the people in his house in a body, and told him to advise at once the *alcalde mayor* of Los Taos to do the same. On this same day I received notice that two members of a convoy had been killed in the pueblo of Santa Clara, six others having escaped by flight. Also at the same time the *sargento mayor*, Bernabe Márquez, sent to ask me for assistance, saying that he was surrounded and hard pressed by the Indians of the Queres and Tanos nations. Having sent the aid for which he asked me, and an order for those families of Los Cerrillos to come to the villa, I instantly arranged for all the people in it and its environs to retire to the *casas reales*. Believing that the uprising of the Tanos and Pecos might endanger the person of the reverend father custodian, I wrote him to set out at once for the villa, not feeling reassured even with the escort which the lieutenant took, at my orders, but when they arrived with the letter they found that the Indians had already killed the said father custodian; Father Fray Domingo de Vera; Father Fray Manuel Tinoco, the minister *guardián* of San Marcos, who was there; and Father Fray Fernando de Velasco, *guardián* of Los Pecos, near the pueblo of Galisteo, he having escaped that far from the fury of the Pecos. The latter killed in that pueblo Fray Juan de la Pedrosa, two Spanish women, and three children. There died also at the hands of the said enemies in Galisteo Joseph Nieto, two sons of *Maestre de Campo* Leiba, Francisco de Anaya, the younger,

who was with the escort, and the wives of *Maestre de Campo* Leiba and Joseph Nieto, with all their daughters and families. I also learned definitely on this day that there had died in the pueblo of Santo Domingo fathers Fray Juan de Talabán, Fray Francisco Antonio Lorenzana, and Fray Joseph de Montedoca, and the *alcalde mayor*, Andrés de Peralta, together with the rest of the men who went as escort.

Seeing myself with notices of so many and such untimely deaths, and that not having received any word from the lieutenant-general was probably due to the fact that he was in the same exigency and confusion, or that the Indians had killed most of those on the lower river, and considering also that in the pueblo of Los Taos the fathers *guardianes* of that place and of the pueblo of Pecuries might be in danger, as well as the *alcalde mayor* and the residents of that valley, and that at all events it was the only place from which I could obtain any horses and cattle—for all these reasons I endeavored to send a relief of soldiers. Marching out for that purpose, they learned that in La Cañada, as in Los Taos and Pecuries, the Indians had risen in rebellion, joining the Apaches of the Achos nation. In Pecuries they had killed Francisco Blanco de la Vega, a *mulata* belonging to the *maese de campo*, Francisco Xavier, and a son of the said *mulata*. Shortly thereafter I learned that they also killed in the pueblo of Taos the father *guardián*, Fray Francisco de Mora, and Father Fray Mathías Rendón, the *guardián* of Pecuries, and Fray Antonio de Pro, and the *alcalde mayor*, as well as another fourteen or fifteen soldiers, along with all the families of the inhabitants of that valley, all of whom were together in the convent. Thereupon I sent an order to the *alcalde mayor*, Luis de Quintana, to come at once to the villa with all the people whom he had assembled in his house, so that, joined with those of us who were in the *casas reales*, we might endeavor to defend ourselves against the enemy's invasions. It was necessarily supposed that they would join all their forces to take our lives, as was seen later by experience.

On Tuesday, the thirteenth of the said month, at about nine o'clock in the morning, there came in sight of us in the suburb of Analco, in the cultivated field of the hermitage of San Miguel, and on the other side of the river of the villa, all the Indians of the Tanos and Pecos nations and the Querez of San Marcos, armed and giving war-whoops. As I learned that one of the Indians who was leading them was from the villa and had gone to join them shortly before, I sent some soldiers to summon him and tell him on my behalf that he could come to see me in entire safety, so that I might ascertain from him the purpose for which they were coming. Upon receiving this message he came to where I was, and, since he was known, as I say, I asked him how it was that he had gone crazy too—being an Indian who spoke our language, was so intelligent, and had lived all his life in the villa among the Spaniards, where I had placed such confidence in him—and was now coming as a leader of the Indian rebels. He replied to me that they had elected him as their captain, and that they were carrying two banners, one white and the other red, and that the white one signified peace and the red one war. Thus if we wished to choose the white it must be [upon our agreeing] to leave the country, and if we

chose the red, we must perish, because the rebels were numerous and we were very few; there was no alternative, inasmuch as they had killed so many religious and Spaniards.

On hearing his reply, I spoke to him very persuasively, to the effect that he and the rest of his followers were Catholic Christians, [asking] how they expected to live without the religious; and said that even though they had committed so many atrocities, still there was a remedy, for if they would return to the obedience of his Majesty they would be pardoned; and that thus he should go back to his people and tell them in my name all that had been said to him, and persuade them to [agree to] it and to withdraw from where they were; and that he was to advise me of what they might reply. He came back from there after a short time, saying that his people asked that all classes of Indians who were in our power be given up to them, both those in the service of the Spaniards and those of the Mexican nation of that suburb of Analco. He demanded also that his wife and children be given up to him, and likewise that all the Apache men and women whom the Spaniards had captured in war [be turned over to them], inasmuch as some Apaches who were among them were asking for them. If these things were not done they would declare war immediately, and they were unwilling to leave the place where they were because they were awaiting the Taos, Pecuries, and Theguas nations, with whose aid they would destroy us.

Seeing his determination, and what they demanded of us, and especially the fact that it was untrue that there were any Apaches among them, because they were at war with all of them, and that these parleys were intended solely to obtain his wife and children and to gain time for the arrival of the other rebellious nations to join them and besiege us, and that during this time they were robbing and sacking what was in the said hermitage and the houses of the Mexicans, I told him (having given him all the preceding admonitions as a Christian and a Catholic) to return to his people and say to them that unless they immediately desisted from sacking the houses and dispersed, I would send to drive them away from there. Whereupon he went back, and his people received him with peals of bells and trumpets, giving loud shouts in sign of war.

With this, seeing after a short time that they not only did not cease the pillage but were advancing toward the villa with shamelessness and mockery, I ordered all the soldiers to go out and attack them until they succeeded in dislodging them from that place. Advancing for this purpose, they joined battle, killing some at the first encounter. Finding themselves repulsed, they took shelter and fortified themselves in the said hermitage and the houses of the Mexicans, from which they defended themselves a part of the day with the firearms that they had and with arrows. Having set fire to some of the houses in which they were, thus having them surrounded and at the point of perishing, there appeared on the road from Thesuke a band of the people whom they were awaiting, who were all the Teguas. Thus it was necessary to go to prevent these latter from passing on to the villa, because the *casas reales* were poorly defended; whereupon the said Tanos and Pecos fled to the mountains and

the two parties joined together, sleeping that night in the sierra of the villa. Many of the rebels remained dead and wounded, and our men retired to the *casas reales* with one soldier killed and the *maese de campo*, Francisco Gómez, and some fourteen or fifteen soldiers wounded, to attend them and entrench and fortify ourselves as best we could.

On the morning of the following day, Wednesday, I saw the enemy come down all together from the sierra where they had slept, toward the villa. Mounting my horse, I went out with the few forces that I had to meet them, above the convent. The enemy saw me and halted, making ready to resist the attack. They took up a better position, gaining the eminence of some ravines and thick timber, and began to give war-whoops, as if daring me to attack them.

I paused thus for a short time, in battle formation, and the enemy turned aside from the eminence and went nearer the sierras, to gain the one which comes down behind the house of the *maese de campo*, Francisco Gómez. There they took up their position, and this day passed without our having any further engagements or skirmishes than had already occurred, we taking care that they should not throw themselves upon us and burn the church and the houses of the villa.

The next day, Thursday, the enemy obliged us to take the same step as on the day before of mounting on horseback in fighting formation. There were only some light skirmishes to prevent their burning and sacking some of the houses which were at a distance from the main part of the villa. I knew well enough that these dilatory tactics were to give time for the people of the other nations who were missing to join them in order to besiege and attempt to destroy us, but the height of the places in which they were, so favorable to them and on the contrary so unfavorable to us, made it impossible for us to go and drive them out before they should all be joined together.

On the next day, Friday, the nations of the Taos, Pecuries, Hemes, and Querez having assembled during the past night, when dawn came more than 2,500 Indians fell upon us in the villa, fortifying and entrenching themselves in all its houses and at the entrances of all the streets, and cutting off our water, which comes through the *arroyo* and the irrigation canal in front of the *casas reales*. They burned the holy temple and many houses in the villa. We had several skirmishes over possession of the water, but seeing that it was impossible to hold even this against them, and almost all the soldiers of the post being already wounded, I endeavored to fortify myself in the *casas reales* and to make a defense without leaving their walls. [The Indians were] so dexterous and so bold that they came to set fire to the doors of the fortified tower of Nuestra Señora de las Casas Reales, and, seeing such audacity, and the manifest risk that we ran of having the *casas reales* set on fire, I resolved to make a sally into the plaza of the said *casas reales* with all my available force of soldiers, without any protection, to attempt to prevent the fire which the enemy was trying to set. With this endeavor we fought the whole afternoon, and, since the enemy, as I said above, had fortified themselves and made embrasures in all the houses, and had plenty of arquebuses, powder, and

balls, they did us much damage. Night overtook us thus and God was pleased that they should desist somewhat from shooting us with arquebuses and arrows. We passed this night, like the rest, with much care and watchfulness, and suffered greatly from thirst because of the scarcity of water.

On the next day, Saturday, they began at dawn to press us harder and more closely with gunshots, arrows, and stones, saying to us that now we should not escape them, and that besides their own numbers, they were expecting help from the Apaches whom they had already summoned. They fatigued us greatly on this day, because all was fighting, and above all we suffered from thirst, as we were already oppressed by it. At nightfall, because of the evident peril in which we found ourselves by their gaining the two stations where cannon were mounted, which we had at the doors of the *casas reales*, aimed at the entrances of the streets, in order to bring them inside it was necessary to assemble all the forces that I had with me, because we realized that this was their [the Indians'] intention. Instantly all the said Indian rebels began a chant of victory and raised war-whoops, burning all the houses of the villa, and they kept us in this position the entire night, which I assure your reverence was the most horrible that could be thought of or imagined, because the whole villa was a torch and everywhere were war chants and shouts. What grieved us most were the dreadful flames from the church and the scoffing and ridicule which the wretched and miserable Indian rebels made of the sacred things, intoning the *alabado* and the other prayers of the church with jeers.

Finding myself in this state, with the church and the villa burned, and with the few horses, sheep, goats, and cattle which we had without feed or water for so long that many had already died, and the rest were about to do so, and with such a multitude of people, most of them children and women, so that our numbers in all came to about a thousand persons, perishing with thirst—for we had nothing to drink during these two days except what had been kept in some jars and pitchers that were in the *casas reales*—surrounded by such a wailing of women and children, with confusion everywhere, I determined to take the resolution of going out in the morning to fight with the enemy until dying or conquering. Considering that the best strength and armor were prayers to appease the Divine wrath, though on the preceding days the poor women had made them with fervor, that night I charged them to do so increasingly, and told the father *guardián* and the other two religious to say mass for us at dawn, and exhort all alike to repentance for their sins and to conformance with the Divine will, and to absolve us from guilt and punishment. These things being done, all of us who could mounted our horses, and the rest [went] on foot with their arquebuses, and some Indians who were in our service with their bows and arrows, and in the best order possible we directed our course toward the house of the *maese de campo*, Francisco Xavier, which was the place where (apparently) there were the most people and where they had been most active and boldest. On coming out of the entrance to the street it was seen that there was a great number of Indians. They

were attacked in force, and though they resisted the first charge bravely, finally they were put to flight, many of them being overtaken and killed. Then turning at once upon those who were in the streets leading to the convent, they also were put to flight with little resistance. The houses in the direction of the house of the said *maestre de campo*, Francisco Xavier, being still full of Indians who had taken refuge in them, and seeing that the enemy with the punishment and deaths that we had inflicted upon them in the first and second assaults were withdrawing toward the hills, giving us a little room, we laid siege to those who remained fortified in the said houses. Though they endeavored to defend themselves, and did so, seeing that they were being set afire and that they would be burned to death, those who remained alive surrendered and much was made of them. The deaths of both parties in this and the other encounters exceeded three hundred Indians.

Finding myself a little relieved by this miraculous event, though I had lost much blood from two arrow wounds which I had received in the face and from a remarkable gunshot wound in the chest on the day before, I immediately had water given to the cattle, the horses, and the people. Because we now found ourselves with very few provisions for so many people, and without hope of human aid, considering that our not having heard in so many days from the people on the lower river would be because of their all having been killed, like the others in the kingdom, or at least of their being or having been in dire straits, with the view of aiding them and joining with them into one body, so as to make the decisions most conducive to his Majesty's service, on the morning of the next day, Monday, I set out for La Isleta, where I judged the said comrades on the lower river would be. I trusted in Divine Providence, for I left without a crust of bread or a grain of wheat or maize, and with no other provision for the convoy of so many people except four hundred animals and two carts belonging to private persons, and, for food, a few sheep, goats, and cows.

In this manner, and with this fine provision, besides a few small ears of maize that we found in the fields, we went as far as the pueblo of La Alameda, where we learned from an old Indian whom we found in a maize-field that the lieutenant-general with all the residents of his jurisdictions had left some fourteen or fifteen days before to return to El Paso to meet the carts. This news made me very uneasy, alike because I could not be persuaded that he would have left without having news of me as well as of all the others in the kingdom, and because I feared that from his absence there would necessarily follow the abandonment of this kingdom. On hearing this news I acted at once, sending four soldiers to overtake the said lieutenant-general and the others who were following him, with orders that they were to halt wherever they should come up with them. Going in pursuit of them, they overtook them at the place of Fray Cristóbal. The lieutenant-general, Alonso García, overtook me at the place of Las Nutrias, and a few days' march thereafter I encountered the *maese de campo*, Pedro de Leiba, with all the people under his command, who were escorting these carts and who came to ascertain whether

or not we were dead, as your reverence had charged him to do, and to find me, ahead of the supply train. I was so short of provisions and of everything else that at best I should have had a little maize for six days or so.

Thus, after God, the only succor and relief that we have rests with your reverence and in your diligence. Wherefore, and in order that your reverence may come immediately, because of the great importance to the service of God and the king of your reverence's presence here, I am sending the said *maese de campo*, Pedro de Leyba, with the rest of the men whom he brought so that he may come as escort for your reverence and the carts or mule-train in which we hope you will bring us some assistance of provisions. Because of the haste which the case demands I do not write at more length, and for the same reason I cannot make a report at present concerning the above to the señor viceroy, because the *autos* are not verified and there has been no opportunity to conclude them. I shall leave it until your reverence's arrival here. For the rest I refer to the account which will be given to your reverence by the father secretary, Fray Buene Ventura de Berganza. I am slowly overtaking the other party, which is sixteen leagues from here, with the view of joining them and discussing whether or not this miserable kingdom can be recovered. For this purpose I shall not spare any means in the service of God and of his Majesty, losing a thousand lives if I had them, as I have lost my estate and part of my health, and shedding my blood for God. May He protect me and permit me to see your reverence in this place at the head of the relief. September 8, 1680. Your servant, countryman, and friend kisses your reverence's hand. Don ANTONIO DE OTERMÍN.

It agrees with the original letter which is in the archive, from which this copy was made at the order of our very reverend Father Fray Francisco de Ayeta, *comisario visitador* of this holy *custodia*. It is copied accurately and legally, witnesses being the fathers preachers, Fray Juan Muñoz de Castro, Fray Pedro Gómez de San Antonio, and Fray Phelipe Daza, in proof of which I give this certification in this convent of Nuestra Señora de Guadalupe del Río del Norte, September 15, 1680. Fray JUAN ALVAREZ, secretary.

*List and Memorial of the Religious whom the Indians of New Mexico Killed.*¹³⁴ [1680]

The names, countries, and native provinces of the twenty-one religious who were killed, while administering the holy sacraments, by the apostate Indians of the provinces of New Mexico, confederated with the heathen

¹³⁴ What seems to be a brief summary of this *List* is to be found in Agustín de Vetancurt, *Menologio Franciscano de los Varones mas señalados que . . . ilustraron la Provincia de el santo Evangelio de Mexico* . . . (2nd edition, Mexico, 1871, pp. 274-275). The present text is, save in two indicated particulars, that of the Bancroft Library copy of the copy from the Archivo de Indias in the Ayer Collection of the Newberry Library. This version will be referred to hereinafter as A. There is also in the Bancroft Library (*N. Mex. Docs.*, I: 530-538) a copy of a copy of the same document in the Archivo General y Público de Mexico, Historia (see Bolton, *Guide*, p. 27, and H. H. Bancroft,

Apaches against the governor, inhabitants, and religious, and those [Indians] who did not consent to the unspeakable wickedness which they committed on the tenth day [of August] of this year 1680 in most of the pueblos and in the greater part of the kingdom. I remit it to your Excellency by way of information until, the tempest being calmed, the circumstances, places, and manner of or signs accompanying their deaths are ascertained.

GALISTEO

In this pueblo and convent of Santa Cruz ¹³⁵ de Galisteo, they killed Very Reverend Father Fray Juan Bernal, actual custodian of the said provinces, and son of that of El ¹³⁶ Santo Evangelio, a native of the City of Mexico. He entered these missions in the past year of 1677.¹³⁷

With him [they killed] Father Fray Domingo de Vera,¹³⁸ son of the province of El Santo Evangelio, a native of the City of Mexico. He entered as a missionary in the past year of 1674, on my first journey.

PECOS

In the convent of Porciúncula de los Pecos, Reverend Father Fray Fernando Velasco, son of the province and of that of El ¹³⁹ Santo Evangelio, a native of the city of Cádiz. He entered as a missionary thirty years ago, a little more or less.

VILLA OF SANTA FÉ

In one of the *visitas* of the villa, Father Fray Juan Baptista Pio,¹⁴⁰ son of the holy province of Cantabria, incorporated into that of El Santo Evangelio, a native of the city of Victoria in the province of Alava. He entered as a missionary in the past [year] of 1677.

NAMBÉ ¹⁴¹

Reverend Father Fray Tomás de Torres died in this convent of Nuestro Padre San Francisco de Nambé. He was *definidor*, and son of the province of El Santo Evangelio, a native of Teposotlán. He entered as a missionary in the past year of 1677.

Arizona and New Mexico, San Francisco, 1886, p. 179, note 5). This version will be referred to hereinafter as B. Since both A and B are copies of copies it cannot be determined which is more dependable.

The above document should be studied in comparison with Historical Society of New Mexico, No. 7, *The Franciscan Martyrs of 1680: Funeral Oration over the Twenty-one Franciscan Missionaries Killed by the Pueblo Indians, August 10, 1680. Preached by Doctor Ysidro Sariñana y Cuenca, March 20, 1681.* (Santa Fé, 1906.)

¹³⁵ "Santa Cruz" does not appear in B.

¹³⁶ B reads: "son of the Holy Province of El Santo Evangelio."

¹³⁷ B reads: "the past year of 1674, on the first journey."

¹³⁸ B reads: "the Father Preacher Fray Juan Domingo de Vera."

¹³⁹ B reads: "son of the province of El Santo Evangelio."

¹⁴⁰ B does not give "Pio."

¹⁴¹ The item relating to Nambé does not appear in A; it has been added from B.

SAN ILDEFONSO

In the convent of San Ildefonso, Father Fray Luis de Morales, son of the province and of that of El Santo Evangelio, a native of Ūbeda, or Baeza.¹⁴² He entered as a missionary in the past year of 1674.¹⁴³

With him, Brother Fray Antonio Sánchez de Pio,¹⁴⁴ a lay religious, son of the holy province of San Diego de México, a native of the said city. He entered [with] the past expedition of 1677.

PECURIES

In the convent of San Lorenzo de los Pecuries, Father Fray Matías Rendón, son of the province of El Santo Evangelio, a native of the city of Los Angeles. He entered as missionary in the past ¹⁴⁵ year of 1674.

TAOS

In the convent of San Gerónimo de los Taos, Father Fray Antonio de Mora, son of the holy province ¹⁴⁶ of Mechoacán, a native of the city of Los Angeles. He entered as a missionary in the past year of 1671.

With him, Brother Fray Juan de la Pedrosa, lay religious, son of the province of El Santo Evangelio, a native of the City of Mexico. He entered in the year 1674.¹⁴⁷

SAN MARCOS

In the convent of San Marcos, Father Fray Manuel Tinoco, son of the holy province of San Miguel de la Estremadura in that of El Santo Evangelio; ¹⁴⁸ his native place is not known. He entered as missionary in the year 1674.

SANTO DOMINGO

In the convent of Nuestro Padre Santo Domingo, Reverend Father Fray ¹⁴⁹ Francisco Antonio de Lorenzana, son of the province and of that of El Santo Evangelio, ¹⁵⁰ a native of Galicia of the place of the brother of Señora Doña Francisca de Sosa.¹⁵¹

¹⁴² Vetancurt, *Menologio Franciscano*, p. 274, reads: "a native of Ūbeda."

¹⁴³ B reads: "the past year of '664."

¹⁴⁴ Vetancurt, *op. cit.*, p. 274, gives this name as Fray Antonio Sánchez de Pro; B reads: "Fray Antonio Sánchez Pro, lay religious, . . ." Vetancurt most likely gives the correct form.

¹⁴⁵ B reads: "He entered as missionary on my first journey in the past year of '674."

¹⁴⁶ B reads: "the province of San Pedro y San Pablo de Michoacán."

¹⁴⁷ B reads: "He entered in the year '664."

¹⁴⁸ B adds here: "included in that of El Santo Evangelio."

¹⁴⁹ B reads: "the Reverend Father *Guardián* Fray Francisco Antonio Lorenzana."

¹⁵⁰ B adds here: "who having left with permission returned in the past year of '674."

¹⁵¹ B reads: "a native of Galicia, of the district of the brother of my Señora Doña Francisca de Sosa."

With him, Very Reverend Father Fray Juan de Talabán, frequently custodian [*custodio abitual*], son of the province and of that of El Santo Evangelio, a native of Seville. He entered as a missionary in the past year of 1671.¹⁵²

Likewise Father Fray Joseph de Montesdoca,¹⁵³ son of the holy province of Mechoacán, a native of Querétaro.¹⁵⁴ He entered as a missionary in the past year of 1674.¹⁵⁵

HEMES

In the convent of San Diego de los Hemes, Father Fray Juan de Jesús, son of the holy province of Granada, a native of the said city, included in that [province] of Mechoacán. He entered as a missionary in the year 1677.¹⁵⁶

ÁCOMA SAN ESTEVAN¹⁵⁷

In the convent of San Estevan de Ácoma, Reverend Father Fray Lucas Maldonado, actual *definidor*, son of the province and of that of El Santo Evangelio, a native of Tribugena. He entered as a missionary in the past year of '667.

ALONA

In the convent of La Provincia¹⁵⁸ Concepción de Alona, Father Fray Juan de Bal, son of the holy province of Castille, included in that of El Santo Evangelio, a native of a place in Castille called El Bal. He entered as a missionary in the year 1671.

AGUATUBI

In the convent of San Bernardo¹⁵⁹ Aguatubi, Father Fray Joseph de Figueroa, son of the holy province of El Santo Evangelio, a native of the City of Mexico. He entered as missionary in the past year of 1674.

XONGO PAVI

In the convent of San Bartolomé¹⁶⁰ de Xongo Pavi, Reverend Father Fray Joseph de Trujillo, son of the province,¹⁶¹ a native of the city of Cádiz. He entered as missionary in the past year of 1677.¹⁶²

¹⁵² B reads: "in the past year of '662."

¹⁵³ B reads: "Likewise in the said company, Reverend Father Fray José de Montes de Oca."

¹⁵⁴ B reads: "a native of the province of Querétaro."

¹⁵⁵ B reads: "the past year of '664."

¹⁵⁶ B reads: "the past year of '667."

¹⁵⁷ The item relating to Ácoma does not appear in A; it has been added from B.

¹⁵⁸ B gives "Purísima," which is doubtless correct.

¹⁵⁹ B does not give "San Bernardo."

¹⁶⁰ B does not give "San Bartolomé."

¹⁶¹ B reads: "son of the province and that of El Santo Evangelio."

¹⁶² B reads: "the past year of '667."

ORAYBI

In the convent of San Miguel de Oraibi, Reverend Father Fray Joseph de Espeleta, frequently custodian ¹⁶³ [*custodio abitual*], son of the province and of that of El Santo Evangelio, a native of the city of Estella in the kingdom of Navarre. He entered as missionary thirty years ago, a little more or less. ¹⁶⁴

With him, Father ¹⁶⁵ Fray Agustín de Santa María, son of the holy ¹⁶⁶ province of Mechoacán, a native of Páscuaro. ¹⁶⁷ He entered as missionary in the past year of 1674.

All the rest have escaped, only ¹⁶⁸ three who have died a natural death shortly after the event.

The viceroy of New Spain makes report to your Majesty of the general uprising of the Indians of the provinces of New Mexico, and of the measures and means which have been adopted for their restoration. ¹⁶⁹ [Mexico, February 28, 1681]

Before entering upon this government I received information (while on the road from Vera Cruz to the City of Mexico, and more fully as soon as I entered the latter city, from the letters and certified documents which the archbishop viceroy, my predecessor, delivered to me) of the general uprising of the Indians of the provinces of New Mexico. According to the *autos*, reports, and documents which were remitted to this government, on the thirteenth day of August of the past year 1680 the rebellious Indians, by prearranged conspiracy, fell upon all the pueblos and farms at the same time with such vigor and cruelty that they killed twenty-one missionary religious—nineteen priests and two lay brothers—and more than three hundred and eighty Spaniards, not sparing the defenselessness of the women and children. They set fire to the temples, seizing the [images of the] saints and profaning the holy vessels with such shocking desecrations and insolences that it is indecent to mention them. They left thirty-four pueblos totally desolated and destroyed, not counting many other farms and haciendas at a distance from them, as your Majesty's *fiscal* of this audiencia states in the summary which he made of these *autos*, by my order.

¹⁶³ "Custodian" is not given in B.

¹⁶⁴ B does not give "a little more or less."

¹⁶⁵ B reads: "the Reverend Father."

¹⁶⁶ "Holy" does not appear in B.

¹⁶⁷ B gives "Pázcuaru;" Vetancurt, *op. cit.*, gives "Pázcuaru."

¹⁶⁸ B gives "except."

¹⁶⁹ A. G. I., 67-3-32. (Guadalajara 138.) On the *carpeta*, or cover, according to the Bancroft Library transcript of this document, is the following:

"Mexico, February 28, 1681. Number 8. Received on June 28, by the *aviso*. Council. The señor viceroy, the Count of Paredes, makes report of the general uprising of the Indians of the provinces of New Mexico and of the measures and means which have been adopted for their restoration. He remits the enclosed large [packet] of certified copies. Fray Francisco de Ayeta writes the enclosed letter of the twentieth of the same month and year concerning this matter, and sends a certified copy. (*Carpeta*.)"

The ferocity of these Indians met with no resistance except in the villa and capital of Santa Fé where the governor resides, who was, and is, Don Antonio de Otermín. He defended himself in the royal houses where he was besieged for nine days, having gathered therein all the people and cattle that he could. Realizing that they had cut off his water supply, that provisions were becoming scarce, and that the number of the enemy who were arriving from other pueblos and nations was increasing, and that such were their boldness and fury that they had set fire to the houses and the temples, attempting also to fire the royal houses, and considering that no help could reach him from any direction, alike because of the multitude of the barbarians who had taken all the passes, and because of the information that he had received from some of them whom our people captured and from others who fled from the enemy that all the religious and the Spaniards from the surrounding pueblos had been killed, the governor resolved, in accordance with the opinion of a junta of the besieged, seeing the imminent danger of starvation or death at the hands of the Indians, to go out to attack them and retreat as well as he could. This he did, breaking through the chief division of the barbarians with the loss of one Spaniard [killed] and many wounded, the governor himself receiving two wounds in the face and a gunshot in the breast. This movement having put the barbarians to flight, our people turned quickly upon some houses where forty-seven Indians were fortified, whom they shot with arquebuses after they had declared that the uprising had been deliberated upon for a long time, at the instance of the Teguas Indians of the pueblo of Tesuque.

Notwithstanding that more than three hundred Indians had been killed in the affray, fearing that they would be joined by those from other pueblos and that all the heathen nations would be convoked, [the Spaniards] resolved to withdraw from the villa, taking all the provisions that they could and the few cattle that remained to them. They directed their march toward the post called Fray Cristóbal, where they found the lieutenant-general of that province, Alonzo García, who had assembled in that place all the Christian Indians and Spaniards from the pueblo of La Ysleta and from the surrounding farms. García, in consideration of the notices which had reached him from some who escaped that all the houses of the villa of Santa Fé were burning, and without hope of defense from the governor, whom he believed to be dead at the hands of the enemy, and fearing an uprising among the Indians who were under him, since it had been general, and considering that going to the governor's assistance would manifestly imperil the Spanish women and children whom he had gathered there, since he had not enough men to leave a guard for them and go with the rest to aid the governor, resolved with the approval and agreement of his companions to set out with his people for El Paso del Río del Norte. After a few days' march, at the place which they call El Socorro, the governor and his people overtook this first column, having encountered shortly before the people who had been sent to his assistance by Father Fray Francisco de Ayeta, *visitador* and *procurador general* of the sacred Order of Saint Francis in the missions and provinces of New Mexico.

The two columns being joined in this place of El Socorro, the governor asked their opinion as to whether it would be well for our camp to halt there and for those who were armed and had horses to go back against the enemy in order to recover the villa of Santa Fé and the other pueblos. Almost all were of the opinion that it would be unwise, in view of their being without provisions and with very little powder and ammunition, their few horses being feeble and jaded, and the men worn out with the journey, scanty food, and the labor of the nine days vigil while they were besieged. It would be necessary also for many of our men to remain to guard the women and children because that place was in the territory of the barbarous and numerous nation of the hostile Apaches, and while on the march it had been noted that enemy spies were observing [our movements]. Fearful lest the Spaniards turn upon them, all the rebels were joining together and were even summoning the heathen nations to aid them. [The Spaniards], therefore, in view of their great necessities and their defenselessness, were of the opinion that they should continue their march as best they could toward El Paso, where the father *visitador* and *procurador general*, Fray Francisco de Ayeta, was with the carts bringing the allowance of alms [for the missionaries]. With his advice and with the assistance that he would give them (and having placed the women and children in safety), they could better decide what to do.

In consideration of the decision made by the junta, and of the fact that the said father *procurador general* told him in the letter that he received at that place that they should communicate to him whatever resolution they might make, the governor decided to go on ahead with twelve men to meet him [the father]. They found him at the moment when he was preparing to cross over the river twenty-four laden carts which he was sending with supplies. One cart was stranded in mid-stream and could not cross to the other bank because of the strong current, the father *procurador*, Fray Francisco de Ayeta, himself having been in great danger. He was rescued by several Indian swimmers who jumped into the water, and by dint of much effort, and with several extra teams of mules which were attached to the said cart, it was brought over. Some things were lost, however, and much of the goods which it carried was damaged and water-soaked. These were taken out and spread in the sun, and along with other things which had been transported on pack animals which had swum across the stream, they were packed on droves of horses which set out one after another, carrying relief in the form of provisions to the two columns of marching people, to afford relief for their pressing need. These columns were composed of almost two thousand persons.

Having arrived at the place which they call El Paso, the governor at once drew up an *auto* calling for the convocation of a *junta general* of all the people, which was attended also by the father *procurador general* and the other religious. They were to discuss and give their opinion with regard to the place in which they should assemble, and whether it would be well to march at once against the enemy to punish the rebels and recover the settlements of which they had taken possession. Concerning this all gave their opinions in writing.

The father *procurador general* and his *definitorio* [offered] what he was transporting in his carts, and the religious themselves, to assist them. If it should be decided to send out a squadron, to recover what had been lost, he offered specifically to assist and succor them with the necessary provisions, except animals. For the aid of the destitute soldiers he would give his twenty remaining cuirasses, four dozen common half-loop [*de medio lazo*] stirrups, fifty bridles, fifty hats, shoes for themselves and for their wives, and two hundred *varas* of brabant linen of the best quality for shirts. He would also see that their wives and families should be supplied with everything needed to maintain them, and would assist them regularly with ten head of cattle and eight *fanegas* of unground corn [*en grano*] each day, inspectors being named to see that the distribution was made justly and proportionately. Afterwards, in another document, the father *procurador general* offered to supply these people with two more *fanegas* of corn, making in all ten each day, and [said] that he had accordingly given out provisions and meat from the day on which the people had arrived, had bought and paid for another six hundred *fanegas* of corn, and had had the carts in readiness to go out and transport provisions since the 18th of October of the past year of 1680. In the jurisdiction of Casas Grandes he had bought and paid for 1,640 beef cattle and was continuing his efforts to furnish still further relief, and he asked that all the people be informed that whoever was in need should apply to the father *procurador general*, who was ready to aid them with all kinds of clothing and shelter at his disposal. He asked that they be advised that he had arranged in the province of El Parral and its vicinity for them to send him as much wool as possible so that the women of the camp could make use of it to supply their necessities.

Having given their votes in writing, almost all agreed with the opinion of Thomé Domínguez de Mendoza, who did not believe it would be possible to overcome the enemy for the reasons which he gave in his opinion and in that of the *cabildo y regimiento*, especially because the winter had set in. Of the hundred and fifty men present who were able to bear arms, fifty could not be armed for lack of weapons, and most of those that they had were useless. They also lacked animals, for the few that remained were very lean and jaded with continuous use. Furthermore, it ought to be considered that the Indian rebels, forewarned that the Spaniards were going to turn upon them, would all be together and would have made an alliance with the heathen Indians, all of which clearly would make an attempt against them hazardous. Almost all were of the opinion that the expedition should be suspended until I might be notified, and that meanwhile the people should be assembled and made ready in the place that might be chosen as most suitable.

In accordance with the said opinion the governor made a list of all the Spaniards, and found that there were 1,946 persons of all ages, one hundred and fifty-five of whom could bear arms, and four hundred and seventy-one horses and mules. Whereupon they decided to settle themselves between the conversions of Guadalupe and San Francisco, awaiting my orders and the assistance that might be sent them. The father *pro-*

curador general, Fray Francisco de Ayeta, came personally to this city to solicit aid, with powers of attorney from that whole kingdom to represent its necessities and the help that would be required in order to return and recover the thirty-four lost pueblos.

Your Majesty's *fiscal* made a summary of these documents, which is the substance of the present report, and he requested that it be submitted to a *junta general de hacienda*. The junta, which assembled on January 7 of this year, examined a petition which the father *procurador general*, Fray Francisco de Ayeta, presented, with a royal cedula from your Majesty which he had received on the present *flota*, dated June 25 of last year, 1680, in which your Majesty was pleased to order that that province should be assisted with all diligence. [Father Ayeta] requested that this business should not be settled finally without his having been heard, for he had more detailed information to give as to the requirements of the matter, and he was ordered to report in writing everything that he might consider relevant so that it might be considered immediately in the junta, which was called for the day of January 10.

The junta having met and examined his new report and petition and the instruments and documents which he presented with it from the members of the *cabildo justicia y regimiento* of the villa of Santa Fé, it being apparent from them that the situation was serious, and that it was necessary to attend to it with all energy and decision, without losing an hour's time, it was resolved to be expedient and necessary to aid the said kingdom of New Mexico in every way humanly possible, both in maintaining the people who had remained at the post and place of El Paso, and in recovering the said kingdom. So that this might be done with due deliberation and mature consideration, and so that what was requisite and necessary regarding the things that were proposed and asked for (because these were in excessive quantities) might be examined into carefully, distinctly, and clearly, [the junta recommended] that the matter be referred to the ministers whom I might select so that jointly, with the advice and assistance of Father Fray Francisco de Ayeta, they might report in writing and in full detail as to what would be necessary for the purposes mentioned and in order to accomplish the desired end of maintaining the people who had remained in the said kingdom and of restoring it.

I immediately named and entrusted this affair to the *licenciados*, Don Gonzalo Suárez de San Martín and Don Martín de Solís Miranda, knight of the Order of Santiago, *oidores* of this royal audiencia; and to attend to the accounts, settlements and preparation of statements [I named] Don Fernando de Deza y Ulloa, royal *factor juez fiscal* of your Majesty's royal treasury of this court. These statements and reports being prepared, they were to be submitted to the first junta. This was done, and the matter was brought before [the junta] which assembled at my order on January 16 of this year. In it were examined these *autos*, reports, statements, and instruments concerning the uprising of the Indians of these provinces, and the manner of departure of Governor Don Antonio de Otermín and the residents who were in the villa of Santa Fé and have withdrawn to this side at El Paso del Río del Norte, where they have maintained themselves

with provisions and assistance which the father *procurador* and custodian, Fray Francisco de Ayeta, has given them, awaiting there my decision; and the petition and proposal of the governor and residents to return for the reduction of this province and of the rebels in it; and what your Majesty's *fiscal* has recommended with regard to everything which was conferred upon at length in two previous *juntas generales*, keeping in mind the gravity and importance of the matter in which it should be considered how much to the service of God and of your Majesty it was to act promptly in supplying the requisite and effective means for the reduction of that country—for more than six thousand baptized Indians remain there, in danger of joining with the neighboring barbarian nations, apostatizing from the Catholic faith, and lacking evangelical ministers because of their having killed twenty-five,¹⁷⁰ according to the *autos*.

There were also seen and considered other arguments which are set forth by the said *junta general* of January 16, especially two mentioned therein: first, that if it should be desired later to attempt the said reduction, this being with those men who are experienced and disciplined in Indian warfare and acquainted with the country, it could not be done without many more [men] who would have to be brought four or five hundred leagues at an expense that cannot be considered [?]; the second was because, leaving the Indians uncontrolled and unsubjugated, as they were, and [even] exercising greater care and defensive measures so that they might not again commit the atrocities already experienced, would expose to evident danger the province of Sonora and El Parral in Nueva Vizcaya, they being surrounded by adjoining barbarian nations who infest them constantly, whom those of New Mexico keep at a greater distance, the villa of Santa Fé serving to restrain them, and who now can easily enter Sonora and El Parral.

Keeping in mind also the general cédulas of your Majesty, and especially the one regarding New Mexico presented in these *autos*, in which your Majesty permits expenditures to preserve what is already conquered and acquired and to recover that which might be lost, now that both conditions exist in the present case, and that this [expenditure] ought to be made with the greatest economy and saving to your Majesty's *real hacienda* that is possible so that the remittances of treasure in this *flota* shall not be diminished, as the monarchy is so greatly in need of funds—having submitted to the above-mentioned ministers the examination, adjustment and statement of the probable cost of the things asked for by the governor and residents of New Mexico, reduced to actual necessities, eliminating everything that does not appear to be essential at present, they made it [the statement], curtailing much of what they asked and leaving what they considered to be sufficient for the desired end. The total amount was 95,446 pesos.

In consideration of the fact that from your Majesty's *real hacienda* there are paid in advance, every three years, 61,440 pesos for the main-

¹⁷⁰ The Bancroft Library copy of this document gives "veynte y uno." That is correct (see "List and Memorial of the Religious whom the Indians of New Mexico Killed," *supra*, pp. 335-339).

tenance of the missionary religious and the equipment of the carts, and that until the said reduction [of New Mexico] shall be made it will not be necessary to fill the places of those who are dead, and that although more than half of the said assistance is due to those who remain, according to the assignment which is made for the stipend of each missionary, the father *procurador* and custodian consented that the said assistance be reduced by two thirds, so long as there is no necessity for sending more religious; whereupon, though the said rebate applies only to the forthcoming payment, it amounts to 40,960 pesos, which, deducted from the said 95,446 pesos, will leave a balance of 54,486 pesos to be paid from your Majesty's *real hacienda*. The greater part of it can be made after the arrival of the silver for the consignment of the present flota and without affecting it.

All your Majesty's ministers having agreed, as they did, that the said operation and the expenditure attending it were indispensable, they resolved that the memorandum and statement drawn up by the above-mentioned ministers with the concurrence of the father *procurador* and custodian, Fray Francisco de Ayeta, be placed with these *autos*, and that pursuant thereto there be given to the 150 men capable of bearing arms of those who left the villa of Santa Fé and are now settled at El Paso del Río del Norte, 140 leagues from the villa, 250 pesos each, in one payment, to undertake the operation [of reconquest], from which sum they are to buy and maintain horses; 100 of the largest carbines available in the arsenal to distribute to the mounted settlers who are to go for this reduction; twenty quintals of powder of good grade, which costs four *reales*, which the contractor ought to supply to your Majesty, there being none of that which is given to your Majesty gratis; and 200 pesos for the purchase of lead in El Parral for making balls. For the protection of the people and the rabble that remain and are stationed at El Paso del Río del Norte, and in order that the enemy may not pass into Sonora and El Parral [it was recommended] that a presidio be founded, until report can be made to your Majesty, with fifty men paid a salary of 350 pesos annually—which is what those of the presidio of Sinaloa receive—one of whom is to be a gunsmith, and that they be obligated to keep their arms in repair out of their own salaries. None of these soldiers of this presidio shall be of the number who returned from the kingdom of New Mexico, and in default of such, the governor shall enlist any others that he can from the said places. To him is entrusted the founding of the presidio, which, after the province is reduced, and with your Majesty's approval, will be transferred to whatever place seems to me most fitting.

With respect to the impossibility of the 1,900 persons who left the villa [of Santa Fé] being able to sustain and maintain themselves in the place of El Paso del Río del Norte, because they could not sow crops and had nothing with which to cultivate the soil—they having been assisted by disposition and provision of the father *procurador* and custodian with ten *fanegas* of maize and ten head of beef cattle [daily] until the end of this month of February, and it appearing necessary to continue the said assistance, in order that they may not abandon the country, from the first of March until the first of October of this year, by which time it seems

that they may have been able to make a crop, and at which time the said 150 men and settlers will have to set out to make the reduction—[it was resolved that] they should be supplied with the same ten *fanegas* of maize and ten head of cattle every day from the first of March to the first of October, the governor and the father *procurador*, Fray Francisco de Ayeta, distributing it, he being in that place and not with the missionary fathers. It was to be understood that this assistance was not to continue after the said first day of October, so that they might provide themselves with crops.

So that they could be supplied with maize and cattle, an order for payment was to be sent from the royal officers of this court to those of El Parral guaranteeing them security so that they might send 150 plough-shares, 600 large hoes, 150 Biscayan axes; twelve adzes and twelve chisels; twelve large padlocks with their staples; 24 iron shovels for the presidio; twelve pairs of shackles and six chains of two *arrobas* each, with their collars and padlocks; two hinges and padlocks for stocks; six iron bars of 25 pounds each; four reams of common paper; 400 pesos for freight charges to El Parral, over and above the 200 *arrobas* set as the weight of the carbines, powder, plough-shares, chains, shackles, and padlocks—all of which were to be delivered to the governor so that he might distribute them with care and moderation, in the manner which seemed to him most fitting and conducive to the common good. He was to give the settlers to understand that after the reduction [of New Mexico] was made, they were to be sent a copy of the privileges granted to settlers which were found in the royal cédulas and ordinances for their good government.

Inasmuch as the father *procurador general* and custodian had spent in the assistance which he had given to the people and in their maintenance up to the last day of February of this year 29,250 pesos which he had taken in the form of supplies from various persons (of which he gave account in the *autos* concerning assistance which he drew up) he was to be satisfied for it by discounting the balance made or to be made to him on the account which he had presented of the supplies in advance for three years which had been delivered to him for the said mission of New Mexico, and he was to be thanked for the activity and promptness which he had shown in maintaining and saving those people.

With regard to the fact that the place where these people had stationed themselves, according to the demarcation, was in the territory of the government of Nueva Vizcaya, I was to give orders that for the present and while the reduction was taking place the governor of New Mexico should use and exercise jurisdiction wherever he might be, as if he were in the villa of Santa Fé. And likewise the Order of Saint Francis being obligated on its part, as it offered, to maintain the wagons, mules, and the people accompanying them in the manner stated in its petition, with which resolution I agree, the father *procurador*, Fray Francisco de Ayeta, submitted a report to me, urged thereto by various considerations. He asked that I declare what person was to be guarantor [*la del crédito*] of the credit which the royal officers of this court were to make to those of El Parral, assuring the satisfaction of the conduct of the provisions for those who were in El Paso del Río del Norte, for the junta had omitted

this point. Although it was clear that [the supplies] were intended for the benefit of the soldiers, the latter were in every way unfit, and it was necessary that an entirely trustworthy person be in charge of the supplies. He asked me also to name the person who was to disburse in this royal treasury the money for the purchase, collecting, and delivery of the goods mentioned in the *junta general* which are to be taken to El Paso del Río del Norte, so that it might be done with all precision, together with everything appertaining to and concerning it, in particular the freighting of mule trains which are to carry these goods.

This new petition being seen in a *junta* which I ordered to convene on January 24 of this year, it was resolved by common consent that the father *procurador general*, Fray Francisco de Ayeta, be named so that he might return to those provinces and take the supplies that were granted for their restoration, and that the father *procurador* designate and name reliable and experienced persons to whom the royal officers of this court might give credit and issue the sums which might be necessary for carrying out entirely that which has been decided upon. For to entrust the administration of this assistance to any person other than the father *procurador general* would put in hazard a business of such importance, he being, moreover, a person of such distinction and experience in this work, motives which have impelled the *junta* [to determine] that this assistance be given, which could not be accomplished by any other hand.

Fray Francisco de Ayeta being thus appointed, he presented me another *consulta* saying that he found himself unable to execute this order and journey, inasmuch as by a patent which he showed me from the reverend commissary general of the Indies he was ordered in virtue of holy obedience to go to the kingdom of Castile on the present *flota* to exercise the ministry of *procurador general* of all the provinces of this New Spain, for which voyage he had obtained permission from your Majesty, as shown from a royal cedula which he exhibited to me, dated February 14 of the past year of 1680, wherewith he submitted his will to that which his superiors might order him. This I ordered reviewed by your Majesty's *fiscal* of this audiencia, who, in a writing of January 28 of this year, asked, alleged, and represented all the congruent reasons which existed and occurred to him (which were the same that had been discussed by the ministers of the *junta general de hacienda*) that this affair should be entrusted to no other person than Fray Francisco de Ayeta, and that a dispatch of petition and request [*de ruego y encargo*] be issued to the end that he suspend his voyage in this *flota*, a communication to the same effect being sent to the reverend commissary general of these provinces, so that in consideration of the new circumstances that have arisen subsequent to the date of the patent mentioned, he might be charged, under the precept of obedience, that for the present he not observe it and accept the administration of the assistance with which he had been charged, this to be without prejudice to the right which he had acquired to the place of *procurador general*, it being understood that when the province of New Mexico has been recovered and reduced Father Fray Francisco de Ayeta is to have the privilege and freedom to use his patent and nomination as *procurador general* of all the provinces of New Spain.

The request of your Majesty's *fiscal* having been conferred upon by the ministers of the *junta general de hacienda* which I caused to be convened on the first of this month of February, all the ministers acceded to it, and the reverend father commissary general was notified. The latter, in so far as it concerned him, gave his consent and Father Fray Francisco de Ayeta obeyed it, this assistance, journey, and the allowances for everything that may come up in the reduction of these Indians being placed in his charge. It remains for me to supplicate your Majesty (as I do) that for this reason the father *procurador general*, Fray Francisco de Ayeta, shall not be deprived of the honors and conveniences which his Order has conferred upon him, for it was necessary to entrust this affair and its conduct to his person, as your Majesty will be pleased to order verified from the certified copies of *autos* enclosed, which I have caused to be made literally, as they contain all the information of these events and the measures which I have adopted on my part and which will be pursued in so far as is humanly possible to the end that the loss of this province be repaired. May God keep the Catholic and royal person of your Majesty, as Christendom has need. Count of PAREDES, Marquis of [LA LAGUNA].¹⁷¹ Signed with a rubric. Mexico, February 28, 1681.

*Reply of the Fiscal. Madrid, July 7, 1681*¹⁷²

The *fiscal*, in regard to this letter of the señor viceroy, the Count of Paredes, and the certified copies of *autos* that accompany it, says: That from them appears [news of] the uprising of the Indians of the provinces of New Mexico, they having killed many people and [some of] the missionary religious, and the steps that have been taken for their restoration, and the measures that have been adopted; and that Father Fray Francisco de Ayeta, *procurador general* of the Order of Saint Francis, was named to conduct the assistance which has been granted. Inasmuch as all the preceding has been confirmed by the representations which the said Fray Francisco de Ayeta has come to make, the Council, being pleased, can order that which the señor viceroy has done shall be approved, thanking him, and charging him to employ all the care that is expected from his zeal and that the seriousness of the situation demands, and that he continue to report to the Council what he may do at every opportunity. There is to be kept in mind the application which the said Fray Francisco de Ayeta has shown in this restoration and in the assistance which he has procured and given to all the people, so that after this task has been completed he shall assume the office of *procurador general* with which his Order has honored him. Madrid, July 7, 1681.¹⁷³ Signed with a rubric.

Council, July 9, 1681. Let a *relator* review it. Signed with a rubric.

To the *relator*, Licentiate Otero. Signed with a rubric.

¹⁷¹ Bolton (*Guide*, p. 469) lists Tomás Antonio de la Cerda y Aragón, Conde de Paredes, Marqués de la Laguna, as viceroy of New Spain from 1680 to 1686.

¹⁷² On back of topsheet alongside of title.—F. R. B.

¹⁷³ F. R. B., Sevilla, Oct. 16, 1914.

*Royal Cedula. To the viceroy of New Spain, approving the presidio with fifty soldiers which he has formed in the place called El Río del Norte for the conservation and defense of the provinces of New Mexico, and [directing that] he is to carry out the rest that he may be ordered. Madrid, September 4, 1683*¹⁷⁴

The King. Count of Paredes, Marquis of La Laguna, kinsman,¹⁷⁵ member of my Council, Cámara, and Junta de Guerra de Indias, my viceroy, governor, and captain-general of the provinces of New Spain, president of my royal audiencia of Mexico, or the person or persons in whose charge its government may be. In a letter of December 12¹⁷⁶ of the past year, 1682, you refer to having given me a report of the miserable state in which are the provinces of New Mexico because of the uprising of the hostile Indians, confederated with many of the converts, and that you would carry out in our name, as you did, two armed *entradas*, in order to attempt by this means to recover some of what had been lost, supplying for that purpose the necessary funds. You likewise ordered that a presidio be formed with fifty soldiers at the pass which is called El Río del Norte, having considered it indispensable for the protection and defense of the convent of the religious of Saint Francis which is in that place, and the three nations of Sumas Indians, who are the only ones who have remained in the said *custodia* and new conversion, and also for the safety of the Spaniards who withdrew [from New Mexico] and assembled at that site. The latter, and the Indians who came out on the first occasion, and those whom they brought out the last time from the place which they call Ysleta, appear to number more than 10,300 persons.¹⁷⁷

Without a presidio to restrain those who have come out in the first and second withdrawals, it is to be feared because of their inconstancy that they might go back with the apostates, impelled thereto by the attraction of their country, their relatives, and their [desire for] freedom; and the missionary religious and the Spaniards who are in the said place, being without this shelter and defense, might abandon the site, likewise leaving exposed to loss the new conversions of the two nations called Zumas and Mansos, with danger to other new conversions as well. That entrance [of El Paso] once abandoned, the place of Casas Grandes and all those which follow along one side of the province of Sonora, and the whole frontier of El Parral, would remain exposed, by way of which there are to be feared and expected very serious damage and hostilities, with evident danger to those who remain there, and the attendant misfortune of losing entirely the hope of restoring the province [of New Mexico]. It also would be necessary to depopulate the new conversions and many in the

¹⁷⁴ A. G. I., 67-3-32. (Guadalajara 138.)

¹⁷⁵ Parts of this document were omitted from the Bandelier transcript. They have been added from the Bolton transcript, which was made from a copy of this cedula in the Archivo General de Mexico.

¹⁷⁶ The Bolton transcript reads: "en carta de Veinte y dos de Diziembre."

¹⁷⁷ The Bolton transcript reads: "eran mas de mill y trescientas personas." This is undoubtedly correct.

province of Sonora, and, furthermore, the whole kingdom of Vizcaya would be more exposed to the hostilities of the enemy. [You state that] in the maintenance of the presidio and the expenditures made to that end, you were much influenced and persuaded by the cedula issued on June 25, 1680, in which you were ordered that, since it appeared that you were carrying forward the conversions in the said provinces, and that the ministers of *doctrina* were complying with this obligation, you were to employ all possible means for their assistance and defense, in the form that you might consider most advantageous, to accomplish the reduction of the Indians to our holy faith and the conservation of that which had been discovered and should be discovered.

"In consideration whereof you have ordered (with the assent of a *junta general*) that the said presidio be maintained in the place mentioned until I, having received this information (which is given more fully in the *autos* which you remit) might order whether it is to be retained and the recovery of the said provinces of New Mexico continued. You have not proceeded with the latter in order not to increase the expenditures of my *real hacienda* without having my specific order to that effect.

There having been examined in my royal Council of the Indies the contents of a letter, and the arguments which you set forth in it based upon the accompanying *autos*, and especially upon [the report of] the *junta general* which was held in that audiencia of Mexico on July 28, 1682, and keeping in mind the cedula cited of June 25, 1680, and what my *fiscal* recommended with regard to all this in his report made to me after examination of the matter, I have resolved to approve (as by these presents I do approve) the formation of the said presidio with the fifty soldiers whom you mention in the place called El Río del Norte. It is my will that it be preserved and maintained in the form and manner that you have directed and that was decided upon in the *junta general* cited, so that by this means there not only may be guarded the missions and conversions and those that may be made in the future, and the Spaniards and the Indians assembled there, but also so that the safety of the provinces of New Mexico and the mines of El Parral, whose preservation and progress are so important, may be assured.

As for the recovery of what has been lost in the said provinces, I charge and order you that with all the application which is expected from your zeal and attention in my service you proceed to adopt the measures which seem to you most fitting in order to accomplish this restoration, at the greatest saving possible to my *real hacienda*, and that for both purposes you issue at once the necessary orders. You will advise me of the receipt of this despatch and of what you may be doing in compliance therewith so that I may be informed of it, and my accountants who assist in my royal Council of the Indies and the royal officers of that City of Mexico will take cognizance of the present [order]. Issued in duplicate in Madrid, September 4, 1683.¹⁷⁸ I THE KING. By order of our lord, the king. Don FRANCISCO DE SALAZAR. Signed with four rubrics of the members of the royal Council.

¹⁷⁸ F. R. B., Sevilla, Oct. 14, 1914.

Reply of the fiscal in regard to the revolt in New Mexico.
 [Madrid,] December 10, 1698¹⁷⁹

The *fiscal*, in view of the letter of Don Joseph Sarmiento,¹⁸⁰ viceroy of Mexico, dated January 19, 1698, and of the lengthy certified copies of *autos* which he transmits herewith, in which he gives account of the revolt, reduction, and state of the provinces of New Mexico and of the aid and succor given by the said viceroy for their more permanent security and protection, declares: That what appears from the said certified copies is that on the 4th day of June of the year 1696, information was given to the governor of that kingdom, named Don Diego de Bargas Zapata y Luján Ponce de León,¹⁸¹ through several papers that he received, written by Father Fray Alonso de Cisneros, missionary to the district of Cochití; by Don Fernando de Chaves, *alcalde mayor* of the pueblo of Bernalillo; by the lieutenant-general of cavalry named Roque de Madrid, *alcalde mayor* of Villanueva de Santa Cruz; and by the Indian, Domingo, governor of the pueblo of Tezuque, that the Indians of the pueblo of Cochití had rebelled and gone up into the sierra, taking with them the Pecos, Teguas, those of San Cristóbal Pecos, Queres, Apaches, Moquinos, Themes, Taos, Pecuries of Ácoma, Zuñi, and Los Jemes; and that they had killed the fathers that were at the said pueblos and had stolen the horses and other things that they could get hold of.

On the same day, in view of the above information, the governor gave various orders to the commander of cavalry to leave eight men in Villanueva and go with the rest of the men available to Santa Fé, and he was to give this news to the *alcalde mayor* of the district of Pecos, so that he might come at once to the said city, bringing with him one hundred friendly Indian warriors. He was to assure them in the name of his Majesty that they [the Pecos] are the most important and most loyal subjects that his Majesty has in those dominions, as was shown when they were used in the king's name for the reduction of the rebellious pueblos. He charged the said commander of cavalry to advise the *alcalde mayor* of Bernalillo that he was not giving him orders to march to Cochití and the other rebellious pueblos because he had faith in the strength and loyalty of the contiguous villas of Santa Fé and Villanueva. He directed him to ascertain whether the inhabitants of Bernalillo were safe and to watch over them, and, if they were not, they were to retire to Santa Fé, with the soldiers as escort, for which purpose he gave the necessary orders.

¹⁷⁹ A. G. I., 67-4-1. (Guadalajara 141.) See R. E. Twitchell, *Leading Facts of New Mexican History*, I:410 (Cedar Rapids, 1911); Ad. F. Bandelier, *Final Report of Investigations among the Indians of the Southwestern United States*, Part II (Cambridge, 1892), pp. 178-200.

¹⁸⁰ Bolton (*Guide*, p. 469) lists José Sarmiento Valladares, Conde de Moctezuma y Tula, as viceroy of New Spain from 1696 to 1701.

¹⁸¹ Diego de Vargas Zapata y Luján Ponce de León "served as governor and captain-general of New Mexico from 1691 to 1697. . . ." Later, after having been ennobled as the Marqués de la Nava de Brazinas, he "ruled New Mexico from November, 1703, until his death, April 4, 1704, which brought his second administration to a close five months after he had taken control." Charles F. Coan, *A History of New Mexico*, I: 199-225 (Chicago and New York, 1925).

Things were in this state when there arrived at the villa of Santa Fé on the fifth day of the said month the chiefs of squadron, Juan de Ulibarri and Ignacio de Ruibal, and they notified the said governor that the Thanos [Taos?] Indians of the pueblo of San Cristóbal had murdered Father Albizu, their minister, and the *defnidor*, Carbonel, minister of the pueblo of Taos, and many other persons of all stations; and that the same fatalities had happened in these *doctrinas* as in the other rebellious pueblos. They killed the fathers and other persons of importance of the said pueblos, burned the churches, and in some of them stole the sacred vessels. On the said day of the fifth the missionary religious of the pueblos of Los Pecos and Xemes fled to Santa Fé and informed the governor that the said Indians [of Pecos and Xemes] had no part in the uprising, but that on the contrary the hundred warriors that the governor had asked for would come, as they in fact did come on the 6th day of the said month of June. On the same day there reached Santa Fé Don Alonso de Aguilar, *alcalde mayor* of El Real de los Cerrillos, who came in flight from the said uprisings, bringing with him all the families settled in his district and, as prisoners, the Indian governor of the pueblo of Santo Domingo, another Thanos [Taos?] Indian, and several Indian children. It was discovered from the confession taken from the Indian governor that he was coming to attack the hacienda of El Álamo.

Leaving the prisoners well guarded, the governor set out from New Mexico on the seventh of that month to reconnoiter the rebellious pueblos, taking with him his lieutenant and clerk, twenty Spanish soldiers, and the one hundred Pecos Indians. When he reached the pueblo of Tezuque the governor and natives came out to receive him and told him that the rebels had tried to induce them to rise up. Having made sure of them, he went on to the pueblo of Nambé, where he found at the door of the church the dead bodies referred to by the chief of squadron, and within it the ornaments and furnishings despoiled and the holy oils thrown out on the floor. On the eighth day of the said month he went on to the pueblo of San Ildefonso, where he found the church burned and in the sacristy saw many dead bodies of religious, and of women and men. From there he went on to Xacona, where he found an Indian who refused to make any response to many questions put to him. Seeing his obstinacy he tried to compel him with threats, but as he still persisted in his determination not to answer, the said governor ordered him to be shot.

Not having found anything more in the said pueblos, he returned on the said day to the pueblo [villa?] of Santa Fé, where he lived. All that is to be learned from these *autos* concerning the cause of this revolt, is what appears from the declaration made by Diego Ginome, *cacique* and native of the pueblo of Nambé, who said that the sole cause of the uprising of the Indians was the fact that a Spaniard had said, while in Cochití, a pueblo of that jurisdiction, that the governor of New Mexico had determined that in the month of June of the same year all the adult men of that kingdom were to be killed, reserving only the boys. This declaration is confirmed by the letter written to this governor by his lieutenant-general on the 14th of June. As the said attacks had not ceased with the sortie

made by the governor, but had instead increased, it became necessary for him to pursue the rebels until he forced them to retreat to the woods and mountains, where he surrounded them and put such pressure upon them that he compelled them to make peace, having first shot those who appeared to be the moving spirits. As a result, almost all the rebellious nations were restored and pacified and reduced to the settlements that they had before.

Inasmuch as these sorties and the war preparations were all made at the expense of the said governor, as was the case in the first conquest, he thereby contracted a number of debts, and he asked that the viceroy of New Spain assist them with a supply of provisions, making note for the purpose of what [was needed] for the poor inhabitants of that province. He also asked that eight more religious be sent for the attendance of the *doctrinas* newly reduced, and for various supplies and medicines that he needed for the cure of the wounded and sick. In view of these *autos* the *fiscal* of the *audiencia* recommended several measures, first making a résumé of them (which is reproduced by the *fiscal*). His reply is found from folio 399 to 480. The matter having been examined in the *junta general de hacienda* which was held for that purpose on September 23, 1696, whose proceedings are on folio 481 of these *autos*, all the operations of the said governor were approved, and it was ordered that he be given all the assistance that he asked for, charging him in future never to go so far as to impose capital punishment on any criminal, even though it were for these crimes [described], without first giving him a trial, bringing charges against him and giving him a hearing. On occasions when the peace should be broken he was warned by the said *junta* to restrain himself and take such measures in these cases as were provided and arranged by laws 8, 9, and 10, *título* 4, book 3, of the *Nueva Recopilación de las Indias*. In law 8 it is provided that efforts shall be made to bring back rebellious Indians to peace by gentle and reasonable means, and in law 9 that before making war upon the Indians one, two, or three summonses to yield, or as many more as may be necessary, shall precede; and that if these are not sufficient they shall be punished as they deserve, but no more. In law 10 it is ordered that armed soldiers shall not be sent to reduce Indians, but if it be to punish them the governors are permitted to send armed men to bring them in as prisoners, provided that the punishment which they incur shall not be executed on the field, in case irreparable injury will not follow from this delay. In regard to these points the *fiscal* is of the opinion that the resolution of the *junta*, already cited, should be approved fully and in every particular, the necessary orders to this effect being dispatched, and likewise a *cedula* to this governor in which he shall be thanked for the special care that he shows in the maintenance of these provinces. In everything the Council will decide that which is most fitting. Madrid, December 10, 1698. [There is a rubric.]

[On the back is written:] The *relator* of the preceding is Don Juan de Villagutiére.

DOCUMENTS RELATING TO THE ACTIVITIES OF JUAN DOMÍNGUEZ DE
MENDOZA AND FRAY NICOLÁS LÓPEZ ¹⁸² TO 1686

[*Memorial of Juan Domínguez de Mendoza. November 18, 1685*] ¹⁸³

The *maestre de campo*, Juan Domínguez de Mendoza, declares: That he has served his Majesty in the provinces of New Mexico for forty-two years at his own expense, armed and mounted, exercising in the said time military offices from that of common soldier to those of *alférez*, captain, *sargento mayor*, *maestre de campo*, lieutenant governor, and governor *ad interim* for the period of one year and four months, inflicting punishments on the rebels, pacifying and bringing to our friendship the disobedient, and marking the boundaries of all those provinces and places, all of which appears in the papers and certificates which he has presented to your Excellency; and that finally, in the expedition that he made in the year 1681 for the pacification of the apostates, he was named lieutenant-general of cavalry by order of Don Antonio de Otermín, who was governor at that time. In this service he carried out as a loyal vassal of his Majesty all the orders issued to him, as appears from the certificate given to him by the said Don Antonio de Otermín, attesting to his conduct, together with eight other certificates and cédulas, issued in the time of his governorship and after it.

He [Juan Domínguez] entered upon the said pacification and settlement which his Majesty ordered to be made—he having given funds for one hundred and fifty settlers—and having examined the first pueblo, Senecú, he was given orders by the said Don Antonio de Otermín to burn it, together with three other pueblos that were farther on. The petitioner went on in company with the said governor to the pueblo of Isleta, where the Indians yielded with great docility. One who was very sick asked for confession and received the holy sacrament, giving up his soul to God on the following day. Having been appointed as commander of

¹⁸² Juan Domínguez de Mendoza, from his own statement hereinafter printed, must have entered New Mexico as a youth in about the year 1643. He rose to the rank of *maestre de campo* and played a prominent rôle in the defensive activities of the Spaniards during the Pueblo rebellion of 1680—for details of which see Hackett, "Revolt of the Pueblo Indians . . . in 1680," *loc. cit.* According to Anne E. Hughes (*The Beginnings of Spanish Settlement in the El Paso District*, Berkeley, 1914, p. 328) Fray Nicolás López probably accompanied the new governor, Don Jironza Pétrez de Cruzate, to El Paso in August 1683, where he became the "custodian of his Holiness in the provinces of New Mexico" (*infra*, p. 15).

Domínguez and Father López are best known for their expedition to the Jumanos Indians, in the general vicinity of present San Angelo, Texas, in 1683-1684. An English translation of the itinerary of this expedition, which itinerary is frequently mentioned in the following translated documents, is in Bolton (ed.), *Spanish Exploration in the Southwest, 1542-1706*, pp. 320-343.

¹⁸³ According to the Bancroft Library copy of this letter, there is, on the *carpeta*, or cover, the following: "It came with a letter of Fray Nicolás López, of the Order of Saint Francis, dated April 25, 1686. Number 2."

sixty men by order of the governor, I went on to the pueblos of La Alameda, Puaray, and Sandía, whence I transmitted reports to the governor, together with many ornaments of silver, which the Indians had kept with much care and cleanliness. I told him to make his base between Puaray and Sandía, for there were in those pueblos more than ten thousand *fanegas* of maize and beans, besides wool and hides and other necessities, with which the army could maintain itself for two years, even though it should be in active war.

The said reports having been transmitted, as appears in a letter signed by my name, I went on to the pueblo of Cochití, where I found most of [the nations of] the kingdom assembled with all their heads and chiefs. Having been called to account, as his Majesty has ordered in repeated cédulas, they appealed to me three times for peace, in the name of God and His most holy Mother and our lord, the king, and I granted it in the name of the royal and Catholic Majesty. All were joyful over the event and wept, Spaniards as well as apostates, the said apostates stripping themselves of their leather jackets and voluntarily giving them to many of the soldiers. After the petitioner had sent many apostates to their pueblos with letters, an Indian came from the pueblos below with the report that the governor was burning those of Alameda, Puaray, and Sandía, angering the whole community that had now become pacified. When the petitioner saw this he returned to call the said governor to account for committing the blunder of burning all those pueblos and provisions, for our lord, the king, sent them to settle and not to despoil, and he had transgressed the royal cédulas. The petitioner was ready to give up his life in this affair like a loyal subject of his Majesty, for he saw the Catholic zeal of his Majesty disappointed and the many souls that were given back into the power of Satan.

The governor took a sworn statement from the petitioner, in which he declared that the Indians said they had risen because they had not received justice. [The same declaration was made] by three other persons, subordinates of the said governor, and this was the public rumor current among them. Because of this declaration and other representations that I made to the governor to the effect that he should not leave the kingdom after being but twelve days on the said campaign, on the sixth of December an interview was held with the apostates, and on the 19th of the same month an order was given to leave the kingdom. It seems, Sir, according to what has come to my attention, that injurious written statements have been made against me, saying that I failed to carry out the orders that were given me, although I hold certificates from Don Antonio de Otermín himself in which he says that I acted as a loyal subject of his Majesty, as your Excellency can direct to be verified from the said order which I have presented, so that it may be known how the subjects of his Majesty are humbled and affronted, and this without recourse. Although I have had so strong a motive, Sir, to throw myself at your Excellency's feet, so that if I have failed in anything as a loyal subject your Excellency might order me beheaded, yet in order to observe his Majesty's command, I have on the contrary remained at El Paso del Río del Norte, with great

misery and hardship, so as not to abandon that kingdom, and have been constantly occupied in the royal service.

In the year of 1683, in the month of December, I set out at the head of twenty men for the new conversions of the Jumanas and many other nations, where I discovered for his Majesty the richest land in all New Spain, for it abounds in grapes, nuts, acorns, berries, plums, buffaloes, rivers with pearls, and mountains full of minerals, all of which appears in legal form in the itinerary which was sent to your Excellency, as I have been informed. I made a survey of the country of the hostiles that cause injury to Nueva Viscaya and made some attacks upon them in which I drove them from their rancherias, and this I did with only twenty men and some friendly Indians, as is well and publicly known. I assisted in guarding three priests who were occupied in ministering to those heathen, personally aiding them to build the churches, as the said ministers, two of whom are now in this city, will confirm. This I did solely to give vassals to his Majesty and to safeguard Nueva Viscaya on that side for our lord, the king; and in so doing I constantly risked my life in occupying myself in the royal service, as I shall always do whenever occasion offers.

It is necessary for me to bring this to the exalted attention of your Excellency, so that you may see and know the reward with which I now find myself after having served his Majesty for forty-two years, and having lost my fortune, which was not small, as is well known, and having lost more than sixty-six persons of my blood alone. As a loyal vassal of his Majesty I must report and present to your Excellency this truth, for I perceive that the preservation of this New Spain depends upon the settlement of that kingdom [New Mexico] and I see how easy it is to accomplish it. If it should be necessary I will make agreements, with my life as forfeit, for settling it, his Majesty giving a gratuity [*ayuda de costa*] for the settlers, and some people being taken from this city because of the lack of them in that kingdom, and new orders being issued that all the inhabitants of those provinces that have gone to La Nueva Viscaya shall return.

If this remedy is not applied to the matter within a short time universal devastation may be expected in the provinces of Sonora and Viscaya, for even now losses are being felt in the royal accounts as well as on the haciendas.

I pray your Excellency that with your accustomed Christianity you will be pleased to reward my services, and that they shall receive acknowledgment from the graciousness of your Excellency and shall cause my dignities to be observed, for such prerogatives have been granted to me by his Majesty in royal cédulas. I hope to receive justice from the zeal and greatness of your Excellency in all respects.

JUAN DOMÍNGUEZ DE MENDOZA

He presented this memorial on November 18, 1685.¹⁸⁴

¹⁸⁴ F. R. B., Sevilla, Nov. 23, 1914

[Certified copy of autos that]¹⁸⁵ came with a letter of Fray Nicolás López, of the Order of Saint Francis, dated April 25, 1685. Number 8

AUTO [OF JUAN DÍAZ DE RIVERA, ROYAL AND PUBLIC CLERK]

In the City of Mexico, on the 23rd day of the month of April, 1686, [before] Captain Don Pedro de Escalante y Mendoza, *alcalde ordinario* therein for his Majesty, was read this petition:

I, *Maestre de Campo* Juan Domínguez de Mendoza, citizen of El Paso del Río del Norte, at Nuestra Señora de Guadalupe in the provinces of New Mexico, and [now] resident in this city, appear before your Honor and declare that in accordance with my rights I shall be given one or two or more copies of the statement of offices held which I certify was given and issued with due formality by the *cabildo justicia y regimiento* of the villa of Santa Fé of New Mexico while in El Paso del Río del Norte, so that I may present them wherever and however may be convenient to me. I beg and pray that your honor may be pleased to order that the present clerk or any other royal clerk shall give me the said certified copies of this statement of offices held, wherewith I shall receive favor, etc. JUAN DOMÍNGUEZ DE MENDOZA.

Petition.

This petition having been examined by his Honor, he ordered that the present clerk, or any other royal clerk, shall give to this party one, two, or more copies of the statement of offices held concerning which he makes declaration. For this purpose he interposed his authority and judicial decree, and he thus ordered and signed it. DON PEDRO DE ESCALANTE Y MENDOZA. JUAN DÍAZ DE RIVERA, royal and public clerk.

[ATTESTATION OF JUAN DÍAZ DE RIVERA, ROYAL AND PUBLIC CLERK]

In fulfillment of the *auto* aforesaid, I, the said Juan Díaz de Rivera, clerk to our lord, the king, one of the number of proprietary public clerks of this City of Mexico, made a copy of the statement of offices held, referred to in petition which was presented to me by the said *maestre de campo*, Juan Domínguez de Mendoza, of which the literal content is as follows:

We, the *cabildo justicia y regimiento* of the villa of Santa Fé of New Mexico, sitting in this pueblo of El Paso del Río del Norte, etc., certify and attest that *Maestre de Campo* Juan Domínguez de Mendoza, a citizen of these provinces, has served his Majesty in them (as appears from the titles and certificates presented by this party) for many years; and that the aforesaid is the legitimate son of Captain Thomé Domínguez, whose letters patent of nobility he enjoys because of his many services to his Majesty (whom may God preserve), which appear, as has been said, in his commissions, which he presented to this *cabildo* so that they might be

Certification.

¹⁸⁵ Parts of this document have been added from the Bancroft Library transcript of the document.

confirmed by it for their better validation. They consist of two certificates from General Hernando de Ugarte y La Concha,¹⁸⁶ one issued while he was governor and the other after he had left office; another from General Don Juan de Samaniego y Jaca,¹⁸⁷ knight of the Order of San Juan, after he had ceased to be governor; two commissions from General Don Bernardo López de Mendizábal, one as captain of infantry, and the other as *alcalde mayor* and lieutenant captain-general; another title of *encomienda* from General Don Diego de Peñalosa; four commissions from General Don Fernando de Villanueva, one as lieutenant governor and captain-general of the districts of the lower river, two as *visitador*, and the other as lieutenant governor and captain of the whole kingdom, confirmed by the *cabildo*; three commissions from General Don Juan de Medrano,¹⁸⁸ one as *maestre de campo* in field service, which came certified, and another as *sargento mayor* of the kingdom with title of *encomienda*; four commissions from General Don Juan de Miranda, one as *maestre de campo* of the kingdom, another as lieutenant governor and captain-general of the kingdom, and two more as *maestre de campo* in active field service and the service of his Majesty; another certified commission from General Don Juan Francisco Treviño¹⁸⁹ as governor, commander, and campaign chief; as well as five commissions from General Don Antonio de Otermín as lieutenant governor and captain-general in active service in various campaigns, with their [respective] discharges and certifications; with still another title of *encomienda* and a certification from the said general after he had ceased to be governor; and, besides, a writing of favor and privilege from his Majesty in five pages, having been copied and made at the time when General Francisco Martínez de Baeza was governor, being signed with his name, sealed with the seal of his arms and countersigned by his secretary of government and war.

We certify that the signatures, of the said generals as well as of their secretaries, are those that they were accustomed to make, as is publicly known. Wherefore we find him [Juan Domínguez] to be worthy and deserving of any honor that his Majesty may be pleased to grant him, and by his petition we order that this writing be issued to him, signed by our hands, sealed with the seal used by this *cabildo*, and countersigned by our secretary, with the statement that it is done upon ordinary white paper because stamped paper is not current in these parts. Done in this pueblo of Nuestra Señora de Guadalupe del Paso on the third day of October, 1684. LORENZO DE MADRID. JUAN SEVERINO RODRÍGUEZ DE SUBALLE. SEBASTIÁN HONGÁLEZ. By order of the *cabildo justicia y regimiento*. FRANCISCO ROMERO DE PEDRAZA, clerk of the *cabildo*.

¹⁸⁶ Bloom ("The Governors of New Mexico," *loc. cit.*, p. 155) lists Hernando de Ugarte y la Concha as governor of New Mexico from 1649 to 1653.

¹⁸⁷ Bloom ("The Governors of New Mexico," p. 155) lists Juan de Samaniego as governor of New Mexico from 1653 to 1656.

¹⁸⁸ Bloom (*op. cit.*, p. 155) lists Captain Don Juan de Medrano y Mesía as governor of New Mexico from 1668 to 1671.

¹⁸⁹ Bloom (*op. cit.*, p. 155) lists Captain Don Juan Francisco de Treviño as governor of New Mexico from 1675 to 1677.

It agrees with the statement of offices held, mentioned above, to which I refer, and which is with the titles listed in it. I saw and examined them and returned them with the statement to the original party, to which I attest; and so that the said petition and order may be manifest I issue this writing in the City of Mexico, on the 24th day of April, 1686, the witnesses being Juan de Monzón, José de Bustos, and Diego Dias, citizens of Mexico.

I affix my signature, in testimony of the truth. JUAN DIAS DE RIVERA, royal and public clerk. With a rubric.

[CERTIFICATION OF THE ROYAL OFFICIALS]

We make oath that Juan Dias de Rivera, by whom it appears that the above certified copy is signed, is royal clerk and one of the number of proprietary public clerks of this City of Mexico, and, as such, to the writings, *autos*, certified copies, and other memoranda that have passed before the aforesaid he has given and gives entire authority and credit, judicially and extra-judicially. Done in Mexico, on the 24th day of the month of April, 1686. JOSEPH SONI, royal clerk. JOSEPH CABALLERO, clerk of his Majesty. JUAN JIMÉNEZ DE NAVARRO, royal and public clerk. All with rubrics.

Letter from Fray Nicolás López of the Order of Saint Francis, custodian of New Mexico and its procurador general, to the Señor Secretary, Mexico, April 24, 1686. It came by the mail of November 11 of the same year. Number 7

The obligation of my office impels me to place myself at the feet of your lordship and offer myself as the servant of your house; and at the same time I have been moved to do so by the two royal cedulas of his Majesty, one of the second of August and this last one which came by the last despatch boat in April. In the first his Majesty earnestly asks for detailed information from the viceroy of this New Spain concerning the lands that the Most Christian King desires to settle, his Majesty ordering at the same time that the reports and despatches that were transmitted in regard to this matter should be placed in the hands of your lordship. Being at present custodian of New Mexico, *procurador general* of that kingdom, and legate of his Holiness in those provinces, I am giving account to his Majesty with a very detailed, clear, and intelligible description of the said lands of the east, for I went in the year 1683 to those countries at the petition of many nations that were asking for the water of baptism, and I left those parts in 1684 in the month of July. Coming to this court in the following year of 1685, I reported to this royal audiencia and gave information covering all that his Majesty asks and orders by the said cedula to be set forth clearly and accurately concerning all those lands. I have considered it best to submit this despatch through the hands of your lordship, knowing the zeal that attends you in the service of the two Majesties, for I have the satisfaction of knowing my desires shall be attained through your lordship's patronage.

I send a map, which I dedicated to his Majesty, showing all those lands to the east and the provinces of New Mexico, for I have been informed that the one I delivered to the viceroy of this New Spain was not sent to his Majesty. Another also was remitted to my commissary general of the Indies, so that by one means or the other it might reach the hands of his Majesty. Although I have asked for a certified copy of all the representations made by me it has not been given to me, for what reasons I do not know. The entire report that I am making to his Majesty will be found in legal form in the papers that remain in the offices of this government. Thus I pray your lordship for the love of God and our father, Saint Francis, to have compassion upon this New Spain, so vulnerable in all respects, for the zeal that characterizes your lordship is well known in these parts, and if you will give me the satisfaction of being admitted as one of your lordship's servants, I will not fail in the future to inform your lordship of whatever may happen. The early departure of the ship does not permit me to write more fully, but I hope to find occasions in which my poor abilities will have the happiness to please you. May our Lord God give to your lordship long life and preserve you to me for many years, as we all have need. Mexico, April 24, 1686.

Your most affectionate and faithful chaplain, who kisses your hand,
Fray NICOLÁS LÓPEZ.

For Señor *Secretario* Don Antonio Ortiz
de Otalua.¹⁹⁰ *My dear Sir.*

Council. [1686?]

He says he reports to his Majesty, in accordance with two royal cédulas in which the viceroy of New Spain is ordered to give a detailed description of the lands in the provinces of New Mexico which the Most Christian King was undertaking to settle. The account that he gives is clear and accurate, through his having entered those lands in the year 1684 by petition of many nations that were asking for baptism, and, having returned to Mexico in the following year of 1685, he presented in the audiencia all that he knew touching upon this matter. He sends a map, which he dedicated to his Majesty, of all the said lands, and because he heard that the one he entrusted to the señor viceroy had not been forwarded, he sent another to the commissary general of the Indies, so that it might reach the hands of his Majesty. Although he has asked for a certified copy of the representations that he has made upon this matter, it has not been given to him, for what reasons he does not know. All the information that he is giving will be found in the papers that are retained in the office of *Gobierno*.

Note: the map mentioned did not come with this letter.

Letter of Fray Nicolás López to the viceroy. [1686]

Most Excellent Sir: Fray Nicolás López, religious of the Order of Saint Francis, missionary preacher, and present custodian and legate of

¹⁹⁰ Spelled "Otalora" elsewhere.

his Holiness in the provinces of New Mexico, and its *procurador general*, declares, in explanation to your Excellency and this royal audiencia of the motives of his coming to this court, that, leaving that *custodia* while serving as its prelate, because of the decision of a junta of all the missionary religious, he came to this city to represent the miserable state of that kingdom and the sufferings of its inhabitants from hunger and nakedness in consequence of the poverty of the country. At the same time the petitioner [came] to point out, by a memorial which he has given to your Excellency, the number of nations so drawn to our holy Catholic faith that they are asking for the water of baptism, availing themselves of the means of our holy law to bring ministers to their lands by pretending that a cross fallen from heaven had appeared to them, for those heathen saw that there was small intention on the part of the Spaniards to make an expedition to their lands and hoped by this prodigy of the cross to encourage them to make the journey.

The nation called Jumanos was especially importunate, since they had always maintained friendship with the Spaniards, and at the urgent request of the said barbarians the petitioner went down in company with two religious, travelling barefoot, until they reached the place called La Junta de los Ríos. There they found two huts erected by the heathen, where the said religious immediately began to give instruction in the catechism and to build four more huts, where nine nations were sheltered, and are now being ministered to, as is set forth in legal form in the papers that have been presented to your Excellency. After more than five hundred souls had been baptized and many children saved who died during this time, leaving only one religious for the administration of these nine nations, because there were no more ministers, the petitioner went on in company with the other religious, at the urgent request of many other nations that were asking for baptism. Exploring and penetrating their lands, in the north as well as in the east, the petitioner visited seventy-six other nations in the interior. He touched upon the threshold of the extensive and powerful kingdom of the Texas, and set foot in the country of the nation called Aijados, adjoining the great kingdom of Quivira. All this land is very rich in nuts, plums, berries, pine-nut trees, and grapes, and great numbers of buffaloes, as is legally set forth in the certifications that he has presented, as also in the itinerary made by the leader of the expedition, the *maestre de campo*, Juan Domínguez de Mendoza.

In view of the need of missionaries as pointed out by the petitioner, he asked for twenty priests for these conversions, and in virtue of his petition his superior prelate issued a patent for all those provinces exhorting the religious for the said conversions, because of the compact that had been made with those nations to return to their country within a year. This was the reason, Sir, why they permitted us to leave their country, and now, notwithstanding what was determined by the *junta general*, it is necessary for the petitioner to represent once more the manifest dangers that are threatened by delay in putting the remedy into effect, especially when the danger threatens from every side. At this time much may be accomplished through the friendliness toward the Spaniards of sixty-five nations, who

gave obedience to both Majesties, if legal possession be taken of all those lands and nations that are ready to receive the water of baptism and if their loyalty and good will [are not lost] by failure to send the necessary ministers to them. As appears from his royal cédulas which I have presented, and in the last one, lately issued on August 2, 1685, his Majesty asked to be informed whether there were religious willing to undertake the said conversions, by which his royal will is made known and manifested.

In conformity therewith, the petitioner, in the name of his holy Order, offers not only the twenty religious that he has asked for and represented to be necessary then, but he now asks for and offers the fifty-one religious to make up the complement of those that his Majesty has assigned to that *custodia*. For the accomplishment of a work pleasing to God, our Lord, and of service to his Majesty and profitable to his royal income, in view of the great promise of that land in its abundance of minerals and fruits, the petitioner offers to go himself to the said conversions as prelate of that *custodia*. For he has already communicated with and knows the said nations, and is acquainted with the Jumana language and has preached in it to those barbarians, having a very large vocabulary in the said tongue, as has been legally declared [by those who] have heard him preach; and one of the religious that he took as companion was already skilled in it, though not in full perfection. Now the petitioner represents again to your lordship in the name of his Order, according to the information he has of the said royal cédula, that if the Most Christian King attracts these nations, whose docility the petitioner has experienced, to his friendship,—for it appears that he has had dealings with them for many years—their complete ruin is threatened, and it cannot be repaired afterwards with millions, although at this time the ingress [of the French] may be prevented with two hundred men.

There are now friendly to us seventy-five¹⁹¹ nations, which are asking for aid against the Apache nation, and all this can be accomplished by his Majesty at this time at very small cost. Indeed, once the said people are conducted to those lands his Majesty would not have to spend one *maravedi* for their support, for it is not possible to express or describe the multitude of buffaloes, the variety of fruits, diversity of fish, the abundance of prairie chickens, quail, partridges, and especially the grape vines, all of which the petitioner saw, as did other persons who entered on the said expedition. As the petitioner has been informed that his Majesty desires a description of all these lands with all detail, clarity, and accuracy, he has thought it proper to place this map in the hands of your Excellency, as the representative of our lord, the king, to whom it is dedicated and inscribed. It has been prepared according to his true knowledge and understanding, as one who traveled over the greater part of the country and explored the routes of those kingdoms, for from the kingdom of the Texas he advanced a distance twenty-five leagues to the confines of the Aijados nation, which divides the kingdom from La Gran Quivira.

These are the reasons, Sir, that the petitioner had for supplicating your Excellency as above, and in view of them I ask and pray that your Excel-

¹⁹¹ Seventy-six? See above, in the same document.

lency will be pleased, with your exalted understanding, to make the best decision in a matter of such great consequence, for my wish and that of my holy Order is solely for the service of our Lord God and that of his Majesty. And so that there may be apparent at all times the care that my said Order has exercised and now exercises in observing its institutes, [I request] that your Excellency be pleased to order that I be given a certified copy, or more if necessary, of all the representations that I have made touching upon this important matter, from August 3, 1685, to the decision made in the *junta general* of May 8 of the said year, and also of all the certifications presented on behalf of his [my] Order, and of all the replies and decisions of the *junta general*.

I swear *in verbo sacerdotis* that what I have stated and represented is true, [in which I have] looked only to the service of both Majesties. In all things I hope to receive favor from the greatness and zeal of your Excellency. . . .

Signed: Fray NICOLÁS LÓPEZ.¹⁹²

Mexico, April 24, 1686

Fray Nicolás López says that he is custodian and legate of his Holiness in the new kingdom of Mexico. He declares that it can be conquered with facility, and that some Frenchmen are trying to settle in the part to the east; that every day Indians present themselves to be baptized; that if it [the kingdom] was [were] lost it was [would be] the fault of the governor, who represented it in divers ways so that it was not appreciated in Mexico; that he is preparing to return to the kingdom of New Mexico; and that, according to his duty as a subject and priest, he places the contents of this letter in the hands of his Majesty.

Fray Nicolás López, of the Order of Saint Francis, custodian of the provinces of New Mexico and its procurador general, to the Señor Secretary. Mexico, April 25, 1686. It came¹⁹³ by the mail of November 11 of the same year. Number 8

Señor Secretary Don Antonio Ortis de Otalora. My dear Sir: Because of the hurried departure of the courier who carries the despatch-box I forgot to send to your lordship these two memorials presented by General Juan Domínguez de Mendoza, who has served his Majesty in the provinces of New Mexico from the age of fourteen years up to fifty-four, and who, as a man well acquainted with those countries, asked the viceroy of this New Spain for the governorship of that kingdom, presenting his papers and certificates of having served from the said age at his own expense, since he had always had the means. I transmit to your lordship his statement of offices held, so that you may glance at such a record of services, [notwithstanding which] they denied him the governorship and gave it to a person entirely incompetent for the business, from whom there may be expected many losses.¹⁹⁴

¹⁹² F. R. B., Sevilla, Nov. 19, 1914.

¹⁹³ *Remitido* [was sent], in the Bancroft Library copy of this letter.

¹⁹⁴ *Desdichas* [misfortunes], in the Bancroft Library copy of this letter.

Seeing that he had not secured the governorship, the said General Juan Domínguez presented this second [petition] to make an expedition to the lands in the east and north, and by his statement your lordship will perceive the great advantages that would result to his Majesty from confiding the said expedition to his experience and knowledge. He is the only one for this affair, in the present state of things, and in order to force out the French (who may now be settled there), for he is fully experienced in matters of war, and, moreover, is known to be a man of singular good fortune in it. I do not know what will result from this second memorial, but from the experience that I have had I believe it will be the same as the first. The said general has desired to take ship and place himself at the feet of his Majesty to inform him concerning all these kingdoms and provinces, as one who has explored and penetrated them, but, finding himself in fallen fortunes (for in the loss of New Mexico he lost more than 40,000 pesos, besides the loss by death of more than seventy-six¹⁹⁵ persons of his blood, a fact so well known in this kingdom that no one doubts it), the small means that he now has have not permitted him to carry out his wish. I made efforts to obtain these two memorials, signed by his name, so that your lordship may become acquainted with what he is passing through here in the service of both Majesties.

May our Lord God grant to your lordship the health that I desire and preserve you to me for many years, for my protection. Mexico, April 25, 1686.

Your most faithful chaplain and servant who kisses your hands,
Fray NICOLÁS LÓPEZ.

Council. [1686?]

He sends the two enclosed memorials, which he says were presented to the señor viceroy by General Juan Domínguez de Mendoza, in the first of which he asked that, in consideration of having served his Majesty in the provinces of New Mexico from the age of fourteen years up to that of fifty-four, at his own expense, he be granted the governorship of that kingdom. He did not receive it and it was given to one who did not merit it.

In the second [Mendoza] asked permission to make an expedition to the said provinces and drive out the enemy, who were supposed to have settled there. At the date of this letter a decision had not been arrived at on this point, and he [Father López] judges that it will come out the same as the first. He says that [Mendoza] is the only one fit for the purpose because of his great experience and of his having penetrated into those provinces. He also sends the enclosed certified copy.

[The same mail] brings another letter (Number 7) from this religious on the same matter for the señor clerk, dated April 24, 1686.

¹⁹⁵ "Sixty-six persons," p. 356, *supra*.

[*Don Antonio Ortiz de Otalora to Señor Don Manuel Francisco de Lira.*
Madrid, November 20, 1686]

New Mexico

Sir: By the courier from Andalusia I received a packet of letters from the Indies in which came the enclosed, which I place in the hands of your lordship, with my obedience and grateful regard. May God keep your lordship many years, as I desire. Madrid, November 20, 1686. ANTONIO ORTIZ DE OTALORA. With a rubric. Señor DON MANUEL FRANCISCO DE LIRA.

[*Don Manuel Francisco de Lira to the Señor Marquis of Los Vélez.*
Madrid, November 21, 1686]

Most Excellent Sir: His Majesty orders me to transmit to your Excellency the enclosed letter, so that your Excellency may examine it and state your opinion upon it. May God preserve your Excellency for many happy years. Buen Retiro, November 21, 1686. DON MANUEL FRANCISCO DE LIRA. Señor Marquis of Los Vélez.

[*Council*]

Concerning the reduction of the provinces of New Mexico there are many letters, *autos*, and papers that were taken in January of 1693 from the house of the *relator*, Don Juan Vallejo, they not having been despatched because of his death. They are therefore brought so that his Excellency, the señor president, may entrust them to another *relator*.

To the *relator*, the licentiate, Ceballos. With a rubric.

Council

His most illustrious Highness, and Señores Sierra, Solórzano, Ortega, Bustamante, Pantoja, Castro, Varaez, Carnero.

Let these papers be placed in the secretariat. Madrid, January 24, 1696. Licentiate ZEBALLOS. With a rubric. There is another rubric.

DOCUMENTS RELATING PRIMARILY TO THE MISSIONS AND INDIANS OF
NEW MEXICO IN THE EIGHTEENTH CENTURY

[*Certification of Captain Rael de Aguilar.*
Santa Fé, January 10, 1706]¹⁹⁶

Captain Don Alfonso Rael de Aguilar, secretary of government and war, *alcalde ordinario* of the villa of Santa Fé, the capital of this kingdom and province of New Mexico, protector-general of the Indians native to its pueblos and frontiers, etc.:

I certify, as is my duty, and as best I can, to the king, our lord (may God guard him), and to the members of the royal and supreme Council, etc. . . .

That on the sixth day of January of the current year, 1706, there appeared before me as their protector-general the Indian governors, chiefs, captains, and the other officials of justice of the pueblos of this kingdom and jurisdiction, of the nations of the Zuñis, Queres, Teguas, Hemes, Thanos, Pecos, Tiguas, Pecuries, and Thaos. They had come to this villa for the purpose of being confirmed in the positions to which they had just been elected. They all came together, having been incited thereto each by the other, asking me to hear them as their protector-general on certain subjects upon which they had conferred, and which had been dealt with and discussed in their pueblos by the old men, the chiefs, and the men, children, and women. These matters were all concerned with attaining the satisfaction and relief which they sought and asked to have, and it was for the purpose of presenting them that they had all been convoked and had come.

Don Domingo Romero Yuguague, as governor of the pueblo of Tetzque and *capitán mayor de la guerra* of the Christian Indian nations of this kingdom, made the first address. He besought me to send for the members of the illustrious *cabildo justicia y regimiento* of this said villa of Santa Fé and for the *procurador general* of this said kingdom, in order that they might be present as they had been on another occasion in past years. Pursuant to his request, I sent for my companions, the señores *regidores*, and there came to my house the general and *sargento mayor*, Juan de Uribarri, *procurador* of this kingdom, with Captains Antonio de Aguilera Ysasy, the *alguacil mayor*, Antonio de Montoya, and Antonio Lucero de Godoy. When they had taken their seats I informed them of the purpose for which they had been called and summoned to appear.

Then Don Domingo Romero began to speak in our Castilian tongue (in which he is very well instructed). He said that the occasion for having called together all the governors, chiefs, and other captains who were there present was the fact that they were exceedingly well satisfied,

¹⁹⁶ A. G. I., 67-3-10. (Guadalajara 116.)

pleased, and content with the good treatment given them by Señor Don Francisco Cuervo y Valdez¹⁹⁷ . . . present governor and captain-general of this kingdom and province. For many days, he said, the chiefs and governors had been going from one pueblo to another summoning each other to this meeting, just as had been done forty years ago by the chiefs, governors and captains who ruled at that time, who appeared before the *sargento mayor*, Francisco Gómez Robledo, their protector, in the presence of the *cabildo justicia y regimiento* of this villa. It was then composed of Captains Francisco Luján, Francisco de la Madrid, Pedro Lucero de Godoy, and Andrés de Mondragón, and they asked their protector-general in the presence of these gentlemen to make a report in their behalf, as their representative, to his Majesty in his supreme and royal Council of the Indies, and to the most excellent señor viceroy and the royal audiencia of the City of Mexico, requesting that their governor, General Don Juan de Miranda,¹⁹⁸ should be reappointed, continued and maintained in the government because of the great care and affection which he manifested toward them. In fact, said Romero, such a written petition and report was made, and, although General Don Juan de Miranda had gone, his first term having been completed, he was recalled and again installed in the governorship, in which he served twelve consecutive years.¹⁹⁹ The result was that the Indians lived all this time very pleasantly, quietly, and agreeably; the story of this exemplary rule has been told to them many times by the old men and their chiefs.

However, at the time that the said señor governor and captain-general, Don Francisco Cuervo y Valdez, came into this kingdom their pueblos were greatly harassed by the continual invasions made into them by the heathen enemy Indians of the Apache nation, who killed many of their people and robbed them of their scant stores, falling upon them by surprise and subjecting them to constant danger, for they were not safe even while weeding and working their cornfields, although most of the people of those pueblos joined together, especially those which were most remote and, being on the frontier, suffered the greatest misfortunes. Such pueblos were those of the province of Zuñi, Peñol de Ácoma, San Joseph de la Laguna, Xemes, Pecos, Pecuries, Thaos, Santa Clara, and La Alameda. But the Indians saw that as soon as Cuervo took possession he made preparations and reorganized the company of this presidial castle so promptly that within fifteen days after his coming his lordship sent a company of soldiers in pursuit of two large bands of enemies from the Navajo rancherias who had stolen some beasts and cattle from the towns of San Ildefonso, Santa Clara, and San Juan.

Following this, he made various expeditions against these same enemies, in all of which he won most happy victories, for he took with him from

¹⁹⁷ Bloom ("The Governors of New Mexico, *loc. cit.*, p. 155) lists Francisco Cuervo y Valdés as *ad interim* governor of New Mexico from 1705 to 1707.

¹⁹⁸ For the date of Miranda's first term as governor of New Mexico, see notes 84 and 95, *supra*.

¹⁹⁹ The date of Miranda's second term was only from 1671 to 1675. Bloom, *op. cit.*, p. 155.

all the towns the Indians who were most skilled in war. As a result of these fortunate events all their pueblos and frontiers had become quiet and pacified, and the Indian inhabitants had been avenged and satisfied with the useful spoils of war. Added to this agreeable situation and quietude, was the fact that the governor and captain-general, Don Francisco Cuervo y Valdez, was so benign, affable, and charitable, that every time they came to this villa he supplied them all, generally with food, bundles of tobacco, ribbons, hats, needles, beads, and many other trifles. He has also given to the speaker, the governor and *capitán mayor*, Don Domingo Romero, to Don Felipe Chistos, governor of the pueblo of Pecos, to Don Juan Pacheco, governor of the pueblo of Taos, to Don Christóbal Corís, governor of the pueblo of Santo Domingo, to Francisco Enjenoe,²⁰⁰ governor of the pueblo of Nambé, and to their lieutenants and interpreters, suits of fine woolen Mexican cloth like that used by the Spaniards; also he has given them white cloth for shirts, and hats, stockings, and shoes. He has ordered all Spaniards, both soldiers and settlers, not to harm or vex the Indians in any way, and the order has been obeyed, so that all the Indians native to the pueblos mentioned bear graven on their hearts the remembrance of these favors, the good counsels and the admonitions which the governor has given either in person or through his emissaries for their good treatment and the observance of regulations for their relief. [He desires] that they may live as becomes Catholic Christians, attending to the eight spiritual exercises of hearing mass, reciting the Christian doctrine, venerating the most holy cross and the sacred images of our lady, the Virgin Mary, and other saints, assisting and aiding the reverend father minister in everything, especially taking care to till and cultivate the fields for him for the regular maintenance of his person, and causing new churches and convents to be built with proper decency, as they existed before the general uprising of the year 1680. In the latter enterprise they have labored diligently, so that during the current year they have manufactured many adobes, and a number of walls have been built.

Under these circumstances the people, finding themselves defended, happy, and secure, for the reasons named, together and singly made the same representation, asking me as their protector-general to make a report to his Majesty, to the most excellent viceroy, and to the royal audiencia of the City of Mexico, setting forth their personal request that the governor and captain-general, Don Francisco Cuervo y Valdez, be continued and maintained in this government for such time as his Majesty might see fit, so that they might enjoy not only the blessings of peace but might also make progress in those things which they hoped to attain through his Catholic and successful operations; for they were very certain that they would do so, from what they had already experienced under his skilful management. This same request was made by all the chiefs and captains who were present, each speaking in his turn, first those who were skilled in our Castilian tongue, they being Don Cristóbal Corís, governor of the pueblo of Santo Domingo and principal war chief of

²⁰⁰ Spelled Enexenoe a little further on in this document.

the Queres nation, Don Luis Conitzu, governor of the pueblo of San Diego de los Xemes, Don Felipe Chistoe, governor of the pueblo of Los Pecos, Don Luis Romero, governor of the pueblo of San Buenaventura de Cochiti, Don Juan Pacheco, governor of the pueblo of San Gerónimo de los Taos, Francisco Enxenoe,²⁰¹ governor of the pueblo of Nambé, Don Antonio Cossio, chief of the pueblo of Tzia, and Don Felipe and Don Joseph, governors of the pueblos of Santa Ana and Peñol de Ácoma.

The others who were unable to speak Castilian said the same thing through their interpreters. The following were witnesses of all that took place there, in the manner described: the aforesaid four señores *regidores*; the general, *sargento mayor*, and *procurador general*, Juan de Uribarri; and Captains Antonio de Aguilera Ysasi, the *alguacil mayor*, Antonio Montoya, and Antonio Lucero de Godoy; and in testimony of the truth thereof they signed a statement, together with me. As the Indian governors, chiefs, and other captains did not know how to sign their names, I, captain Don Alfonso de Rael de Aguilar, signed for them as their protector-general, and in that capacity I give the present certification in testimony of the truth thereof in this villa of Santa Fé on the tenth day of the month of January of the year 1706. Signed by my name and my customary rubric and those of the señores *regidores* on ordinary paper, because stamped paper is not to be found in these parts. I attest. Signatures.²⁰²

*Report of Fray Juan Álvarez on the missions of New Mexico.*²⁰³
[Santa Fé, January 7, 1706]

Señor Governor and Captain-General: Fray Juan Álvarez, of the regular observance of our seraphic father, Saint Francis, commissary of the Holy Office, custodian and ordinary ecclesiastical judge, by apostolic authority, of this holy *custodia* of the conversion of San Pablo of the kingdom of New Mexico, etc., states: That I am, although unworthy, in the position of prelate of this holy *custodia*, and recognize the very needy condition of the poor missions of this kingdom. I see that, although the fathers custodians who were my predecessors asked for succor, they were not able to obtain it because the governors were concerned deeply with nothing save their own lawsuits; wherefore, complying with the obligation of my office, I am obliged to make representation to your lordship concerning that which I consider so essential, and I therefore say:

That, it being the will of God, our Lord, that this kingdom, lost in the year 1680, should be restored in the year 1692, his Majesty conceded, and the most excellent señor, the Count of Galve,²⁰⁴ as his agent, gave, a replenishment of ornaments, chalices, and bells for the decent equipment of some of the newly-restored missions. After the missionary religious had

²⁰¹ See preceding note.

²⁰² F. R. B., Sevilla, Feb. 12, 1915.

²⁰³ A. G. I., 67-3-10. (Guadalajara 116.)

²⁰⁴ Bolton (*Guide*, p. 469) lists Gaspár de la Cerda Sandoval Silva y Mendoza, Conde de Galve, as viceroy of New Spain from 1688 to 1696.

been stationed in them came the fatal year of 1696 in which revolts again occurred among the apostate Indians of the nations of the Teguas, Thanos, Pecuries, Taos, and Queres of Cochiti and Xemes, fifteen pueblos in all. They took the lives of five religious, their missionaries, and, with mortal hatred for our holy faith, not only burned and desecrated the temples, but tore down and broke the ornaments, sacred vessels, altars, images, and bells, so that it has been impossible to restore any part of them.

When the Indians were again reduced and a smaller number of ministers was placed in their missions, the very essential things were taken from the missions which remained intact for use in the others; something was taken from each one to supply their needs so that the restored missions should not lack spiritual nurture or the means for celebrating the holy sacrifice of the mass. I, as the unworthy prelate of this *custodia*, made a report of what was lacking to the governor and captain-general, who was then Don Pedro Rodríguez Cubero,²⁰⁵ and as a result of his report in the *junta general* held in the year 1698, the most excellent señor viceroy, the Count of Moctezuma,²⁰⁶ granted six ornaments and four chalices, which are being used in the four missions where they are most needed. But as there are many other missions in this *custodia* it has been necessary, as has been said, both to use these six ornaments and also some old ones which were left, distributing them among the others; hence both groups of missions are so deteriorated and lacking in necessities requisite for decency in divine worship that there are actually missions where, the mass being celebrated with an old ornament, the chasuble is of one color, the stole of another, and the maniple of still another, while there are no bells at all with which to call the people to the service. Indeed, in many of the missions it is necessary to use a little altar-bell and go about the town announcing the services, which many do not attend because they do not hear the bell. In some of the poorer churches there is only one cross, the poor religious making use of some which have been painted by the Indians according to their style so that they may have some appearance of decency, both on account of their Catholic and religious obligation and because these poor Indians are so much influenced by material appearances. Some of them, in fact, who knew the adornments used in past times, note that the mass is now said with very dilapidated ornaments, and that the churches, although properly clean, are without adornment.

Added to this, there are to-day new missions which lack everything, as for instance Peñol de Ácoma, La Laguna, Zúñi, Alameda, and others which are now about to be occupied by people already reduced. Besides these are all the missions which lost their ornaments but are now restored. The religious, moreover, are enduring intolerable hardships on account of the distances between the missions, and because they have to go to them to administer the sacraments at great risk on the road from the heathen enemy. The religious are forced to undertake long journeys for the sake of having the consolation of hearing confession, and some of

²⁰⁵ Bloom ("The Governors of New Mexico," *loc. cit.*, p. 155) lists Cubero as governor of New Mexico from 1697 to 1703.

²⁰⁶ See note 180, *supra*.

the roads are so difficult that in many of the winter months they cannot communicate with each other because the roads and passes are closed by the heavy snows. Sometimes it is necessary to carry the chalices and other ornaments from one place to another in order to celebrate mass. All the religious are disconsolate because they cannot supply these prime necessities; for although we might, as is our obligation, ask for them as alms from door to door, the settlers of this kingdom are in such abject poverty that rather we must succor them in the little that is possible, on account of their nakedness and the disastrous lack of provisions, which your lordship has been and is now aware of. The religious themselves are in want of bare necessities, but there is no recourse in such distant lands as these other than God and our Catholic king and lord.

I beseech and supplicate your lordship to look upon this cause with your customary Catholic zeal and represent to the king, our lord, and in his royal name to the most excellent señor viceroy and the royal audiencia of the court of Mexico these urgent necessities, so that these poor missions may be supplied with the ornaments, albs, chalices, vials, bells, candles, and images which are customarily provided by our Catholic king; also that he will be pleased to grant the appointment of thirty-four religious, that being the number urgently needed for better administration and the fulfillment of the royal will, in view of the extreme need of the poor missions; also that he will attend to the wants of the poor religious due to arrears in payments, for during the past three years our wants have been so extreme that we have been deprived of the viaticum which his Majesty formerly gave the religious to pay the expense of their long journeys. Although there might have been reason to deprive us of funds for traveling expenses previous to the loss of this kingdom, it may now be considered that there are greater reasons for restoring them, for it is necessary to use a large part of the alms for the three years [for this purpose], although the amount has been small when spent upon such long and depopulated roads; and the fathers are exposed to and suffer such want that many, although they have dedicated themselves to work in the vineyard of the Lord, do not dare to set out upon the road, for they know that they will be without human recourse in those remote lands. The greatest concern is that felt because of the long time which we have been without wine or candles for the holy sacrifice of the mass, lack of which has compelled celebration only on holy days. This has deprived the souls of the departed and our benefactors of the comfort which they might have had, as it also has affected our Catholic king and lord, to whom we are so much obligated. All this your lordship is aware of, and you know also that we lack the consolation of having a depositary for the holy sacrament, although the settlement is so populous, because of the lack of oil, of which condition your lordship is a faithful witness, for you gave as long as you could, with Catholic zeal, of the little that you brought for your own use, so that for some time we did not lack this sovereign comfort. I have faith in your lordship's Catholic zeal and am confident that you will, as the one who is serving as governor and captain-general, confirm the truthfulness of this my petition. For in it I only ask for what is

most essential to decency of divine worship, and the better administration and extension of our holy Catholic faith.

I also ask your lordship to be pleased to order given to me two certified copies of this, my representation and petition, and of that which your lordship may order pursuant thereto; and of the report which you may be pleased to make, so that in case the señores ministers and royal officers of his Majesty should lack orders from the king, our lord, to do as I ask, I may be able to appeal to his Majesty and his royal Council. Your lordship, being so Catholic, will order done that which is most fitting in justice to the service of both Majesties.

Fray JUAN ÁLVAREZ, custodian.

Presentation

In this villa of Santa Fé, capital of this kingdom and province of New Mexico, on the seventh day of the month of January, 1706, before Don Francisco Cuervo y Valdez . . . governor and captain of this said kingdom, the very reverend father preacher, Fray Juan Álvarez, presented this petition. . . .

Auto

This petition having been seen by his lordship, he asks and requests the said Father [Álvarez] to certify in due legal form to the number of pueblos, missions, and *doctrinas* that are settled and established under the charge and administration of his reverence and the other religious of this holy *custodia*.

Signed: FRANCISCO CUERVO Y VALDEZ.

Declaration of Father Fray Juan Álvarez. [Nambé, January 12, 1706]

Father Fray Álvarez . . . custodian and ordinary ecclesiastical judge under apostolic authority of this holy *custodia* of the conversion of San Pablo of the kingdom of New Mexico, etc.: Pursuant to the *auto* issued by General Don Francisco Cuervo y Valdez, governor and captain-general, etc. . . . concerning the report as to the necessities of these *custodias* and their missions. . . .

I certify to the king, our lord, to his royal Council of the Indies, and to the most excellent señor viceroy, the Duke of Albuquerque, etc. . . .

That I have visited, in accordance with my obligation and charge, all the missions of this holy *custodia*, so that I might with first-hand knowledge ask the señor governor to make his report; I have examined personally all things connected with divine worship, the churches, convents, the work of the twenty-one religious whom the king, our lord, has conceded to this holy *custodia* since its restoration, and the number of Indians which there are in each mission (it being impossible, however, to indicate in every case the exact number, because it is being increased from day

to day by those who are coming down from the mountains where they live among the heathen and apostates). I saw and inspected the missions and the administrative units of the Spaniards, and found them so poor and so lacking in necessities, and the religious so overworked because they had to minister to two or three pueblos at long distances one from another, that I was moved to make this representation, thereby relieving my conscience, and knowing that the very Catholic royal ministers of the king, our lord, would also desire to relieve their own. I was moved the more to do this from seeing the great number of Indians in some of the missions under one single minister, who, during the long winter season, has no recourse, lacking the spiritual consolation of being able to confess himself on account of the passes being closed to communication by the abundant snows and the deep ice. The ministers being few, as they are, and the missions many and at great distances from each other, it is necessary (since there is no other method) to intrust to the Indian *fiscales* the care of the *doctrina*, which the minister merely visits. As these *fiscales* belong to the same nations, they are not as vigilant as such ministry requires. That evidence may appear as to the number of the missions, the stations in which the twenty-one religious work, and the number of Indians in this holy *custodia*, [I beg to report that] they are as follows:

In the villa of Santa Fé, the capital of this kingdom, in which, in addition to the many settlers, there is the presidio of one hundred soldiers, most of them with wives and children, and in which is the residence of the señores governors, the father preacher, Fray Juan Mingues, is in charge. It may be considered that he, being alone, has a very onerous task, for during Lent and on holy days it is necessary for him to avail himself of the help of other religious who, leaving the duties of their ministries, must assist in hearing confessions, on account of the large number of people. In this villa there are two small bells, one of them broken, and a single chalice. Old ornaments are used; many times the frontal is of one color and the chasuble of another, for, although there have been some of all colors to distribute among the missions, several of them were left without any. For interments and masses for the dead there is no black ornament or cope, for the old one which is there is now so worn and patched that it cannot be used, and it is a great grief not to be able to replace it, the alms which the poor religious receive being insufficient.

In the pueblo of Los Pecos, ten leagues distant from the villa of Santa Fé over a rough and mountainous road which is closed during the time of snows and always in danger from the hostile Apaches, the father preacher, Fray Joseph de Arranegui, is stationed. This mission has no bell, and the ornament is one of those which his Majesty gave in the year 1698, with a chalice; it has no vials save some little glass vases, one of which is broken. There are in this pueblo about one thousand Christian Indians, large and small, and the mission needs two ministers, alike on account of the number of the people and because the road is often closed and is in continuous danger from the enemy. The building of the church has been begun. This mission is called Nuestra Señora de Porciúncula.

In the mission of the Taos Indians, forty leagues distant from the villa of Santa Fé and fifteen from the nearest mission—the road and posts along it, besides being very difficult and infested by the Apaches, are generally closed when there is snow and ice—is the father preacher, Fray Francisco Ximénez. This mission needs two ministers, as much on account of what has just been said as on account of the many people there. It has no bell but has some vials made of tin plate; the ornament is new and is one of those which his Majesty gave; the missal is so torn that it is of no use. The building of the church has been begun. There are in this pueblo about seven hundred Christian Indians, large and small. The mission is called San Gerónimo de los Taos.

The mission of Pecuries, which is twenty-five leagues distant from the villa of Santa Fé, has no minister, bell, or ornament. The church is very small, and is administered from the pueblo of San Juan, ten leagues distant, by the father preacher, Fray Pedro Mata. There are about three hundred Christian persons, and others keep coming in who have been among the Apaches. This mission is called San Lorenzo de Pecuries.

In the mission of San Juan, composed of Indians of the Tegua nation, and about fifteen leagues distant from the villa of Santa Fé, is the father preacher, Fray Pedro Mata. There is no bell in this mission. There is one of the ornaments which his Majesty gave, and some vials made of tin plate. The church is being built. There are about three hundred and forty Christian Indians, large and small. From this mission the father administers that of the Pecuries, and he also serves the Spaniards of the Villa Nueva de Santa Cruz and of Cañada de Chimayo, who are numerous. This mission is called San Juan de los Caballeros.

In the Villa Nueva de Santa Cruz, a settlement of Spaniards, Fray Pedro Mata is minister, as has been said. He comes from San Juan, which is about five leagues away. He carries all the ornaments and the altar from San Juan. The villa has a small church and a bell.

In the mission of San Ildefonso, composed of Indians of the Tegua nation and distant eight leagues from the villa of Santa Fé, is the father preacher and secretary of this holy *custodia*, Fray Juan de Tagle. There is a bell without a clapper, and broken; the ornament is old, the missal is old and torn, and the vials are small pewter vases. The church is being built and is well advanced. There are about three hundred Indians, large and small. From this mission the father ministers to a few Spanish ranches.

In the mission of Santa Clara, composed of Indians of the Teguas nation and about twelve leagues distant from the villa of Santa Fé, there is no minister, bell, or ornament. It is administered by Father Fray Juan de Tagle from San Ildefonso, the two missions being four leagues apart. Santa Clara is on the bank of the Río del Norte, and when the river freezes over with ice, which is very thick, or when there are floods, which last several months, it cannot be crossed. The church is being built. There are in this pueblo about two hundred and ten Christian persons, large and small.

In the mission of Nambé, composed of Indians of the Teguas nation and distant . . . seven leagues from Santa Fé, I, the unworthy prelate of this holy *custodia*, Fray Juan Álvarez, am minister. In this mission there is an old white and red ornament; the mulberry colored frontal is old; the missal is badly worn. There are no vials, but there is a vessel in which to carry the viaticum to the ranches of some Spaniards which I administer from here. The church is being built. There are about three hundred Indians . . . This mission is called San Francisco de Nambé.

In the mission of Tetzuqui, composed of Indians of the Teguas nation, four leagues distant from the villa of Santa Fé and three from Nambé, I am minister. . . . There is a bell without a clapper, and it is necessary to carry all the ornaments. The church is small. There are in this mission about five hundred Christian Indians . . . and some others of the Thanos nation, who number about one hundred and fifty Christians; the latter are about to go and settle in their pueblo of Galisteo, nine leagues distant from the villa of Santa Fé. This mission is called San Diego de Tetzuqui.

In the mission of Cochití, composed of Indians of the Queres nation, distant ten leagues from the villa of Santa Fé, is the father preacher, Fray Miguel Muñís. This mission has a broken bell without a clapper. (The Indians took all the clappers away, to make lances and knives.) There is one of the ornaments which his Majesty gave. The vials are a silver vase, a glass one, and another of tin plate. The church is being built. This mission has about five hundred and twenty Indians. . . . It is called San Buenaventura de Cochití.

In the mission of Santo Domingo, composed of Indians of the Queres nation, thirteen leagues distant from the villa of Santa Fé and three leagues from Cochití on the other side of the Río del Norte, there is no minister, bell, or ornament. The church is being built, and is administered from Cochití by Father Miguel Muñís, who carries all the ornaments with great difficulty when the river is in flood or when it is closed by the thick ice. This mission has about two hundred and forty Indians. . . .

In the mission of San Felipe, composed also of Indians of the Queres nation and about sixteen leagues distant from the villa of Santa Fé, is Father Manuel Moreno. There is a bell and one of the ornaments which his Majesty gave. There are no vials except two little glass vases and one tin one and there is an old missal. The church and a new pueblo are being built, the latter having been moved down from a high mesa. There are in this mission about five hundred Christian persons.

In the Villa de Bernalillo, a Spanish settlement twenty leagues from Santa Fé, the father preacher, Fray Juan de Zabaleta, administers. There is a little bell and an old ornament. The vials are little clay flagons. There are many ranches of Spaniards [nearby]. The mission is called Nuestro Padre San Francisco de Bernalillo.

In the mission of La Alameda, which is a new mission of Tiguas . . . Indians twenty-five leagues from the villa of Santa Fé and five from Bernalillo, there is no minister, bell, or ornament. The church is very small. It is administered from Bernalillo by Father Zabaleta. There are in this mission about fifty Christian persons . . . and there are now

more coming down from the towns of the rebels. The mission is called San Joseph.

In the mission of Santa Ana, composed of Indians of the Queres nation and twenty-four leagues distant from Santa Fé, is . . . Father Fray Salvador López. There is a bell and one of the ornaments which his Majesty gave, and a very old frontal. There are no vials. The church is small. This mission has about three hundred and forty Christian Indians.

In the mission of Zia, also of . . . Queres Indians, which is distant from . . . Santa Fé about twenty-eight leagues, there is a bell without any shaft or tongue, but it seems to be whole. There is no ornament. The mission is under the care of Father Fray Agustín de Colina, who ministers in Xemes, five leagues distant, pending the return of Father Fray Domingo de Araus, who fell ill in El Paso. This mission has about five hundred Christian Indians. The church is being built; it is now at a good height. This mission is called Nuestra Señora de la Concepción de las Zias.

In the mission of San Diego, composed of Xemes . . . Indians and distant from Santa Fé thirty-four leagues, is Father Fray Agustín de Colina. There is no bell, and only one old ornament and an old missal; there are no vials. The church is being built. There are about three hundred Christian Indians . . . and others keep coming down from the mountains, where they are still in insurrection.

In the mission of El Peñol de Ácoma, composed of Queres . . . Indians, which is about . . . forty-eight leagues distant from Santa Fé, Father Fray Antonio Miranda is alone. At a point so far away and on the height of that great rock two religious are necessary, as much on account of the great distance as because of the large number of people. The church is being built. It has only a broken bell without a tongue, and an old and broken ornament. The vials are three clay vases. This mission has seven hundred and sixty Christian persons. . . . It is called San Esteban de Ácoma.

In the mission of La Laguna, also composed of . . . Queres Indians and about forty-two leagues from Santa Fé, and at least eight from El Peñol de Ácoma, there is no minister, though two are needed on account of the great distance and the dangerous roads. There is no bell or ornament. The church is being built. It is administered by Fray Antonio de Miranda, who brings all the ornaments down from El Peñol de Ácoma; and when he desires to confess he has to go as far as Xemes, which is the nearest mission. This one contains about three hundred and thirty Christian Indians. . . . It is called San Joseph de La Laguna.

In the mission of Alona in the province of Zuñi, composed of Indians of the Zuñi nation, distant seventy-five leagues from Santa Fé and thirty from El Peñol de Ácoma, which is the nearest mission, Father Fray Juan De Garaicochea is alone. For confession he has to return to this mission of El Peñol de Ácoma, with great risk on the road on account of the hostile Apaches. When one has to go to this mission, as well as to the others, it is necessary to await an escort except when one goes for the purpose of ministration; then one goes at any risk. There are in this mission a bell and an old ornament. It needs two religious. This mission

has about one thousand five hundred Christian persons. The church is being built. It is called La Limpia Concepción de Alona.

In the jurisdiction of El Paso del Norte, in the mission of Nuestra Señora del Paso, the father preacher and commissary of the Holy Inquisition in that jurisdiction, Fray Francisco de Gonzales, ministers to the Indians of the Mansos and Piros nations and to the new conversion of the Xanos.²⁰⁷ Altogether they are numerous. There are also some Spanish settlers and the presidio of fifty soldiers with their captain and *justicia mayor*. The mission is supplied with necessities, because it is one of the old ones.

In the Real de San Lorenzo,²⁰⁸ an incorporated villa of Spaniards of this kingdom, there is no minister. It is administered from the mission of Senecú,²⁰⁹ by Father Fray Gonzalo de Sobenes, and it lacks all the ornaments.

In the mission of Senecú, composed of . . . Piros Indians who were taken from this kingdom in the year 1680, Father Fray Gonzalo de Sobenes ministers. It has a church, a bell and an ornament. There are many people. The mission is called San Antonio de Senecú.

In the mission of San Antonio de la Isleta, composed of Indians of the Tiguas [?] nation who left this kingdom in the year 1680, Father Fray Juan de la Peña ministers. There are many people. It has a church and a bell; the ornament is old and mended, and there is an old missal—one of the very old ones.

In the mission of Nuestra Señora del Socorro, composed of Piros and Sumas Indians, the reverend father *ex-custodio*, Fray Antonio Guerra, ministers. There are many people, and more of the Sumas are being added every day. The church is being rebuilt; it has a bell and an ornament.

In the new mission of Santa María Magdalena composed of Sumas Indians, who are beginning to be reduced, is Father Fray Diego de

²⁰⁷ Reference is to the new conversion of Nuestro Señor de la Soledad de Janos, approximately seventy leagues southwest of El Paso (see II:25), which was referred to on Oct. 20, 1680, by Governor Otermín of New Mexico, as a conversion of Indians who "have been assembling and reconciling and are in good condition."—See quotation from letter of Otermín, in Hughes, *The Beginnings of Spanish Settlement in the El Paso District*, p. 317.

²⁰⁸ After the Pueblo Indian uprising in New Mexico in August 1680, Governor Otermín and the 2,500 refugees retreated southward toward El Paso del Río del Norte. On Dec. 20, 1680, Father Ayeta wrote: "All the army remains on the same Río del Norte divided into three divisions, at a distance of two leagues from each other: the governor and the cabildo in that of San Lorenzo (a name which was given in memory of the destruction having been on the day which the church celebrates for him) and with His Lordship five religious. . . ." Quotation from letter of Ayeta, in Hughes, *op. cit.*, p. 316.

²⁰⁹ When the Spaniards withdrew from New Mexico after the Pueblo Indian uprising of 1680 they were accompanied to El Paso del Río del Norte by loyal Piros Indians from the upper Río Grande region. These allies "were inhabitants of the four Piros pueblos of Senecú, Socorro, Alamillo, and Sevilleta, and numbered 317 persons in all." Hackett, "The Retreat of the Spaniards from New Mexico in 1680, and the Beginnings of El Paso," *loc. cit.*, p. 268.

Chavarría. Some Sumas Indians are beginning to come in. Being a new mission it is without ornament or bell.

Father Fray Antonio Camargo is *procurador* of this holy *custodia* for the twenty-one religious, and conveyer of the alms which the king, our lord, gives to its ministers.

In the villa of Santa Fé is the father commissary, Fray Joseph Narváez Valverde, a lay brother who attends the sick as apothecary and surgeon; he was sent at the request of Señor Marques Don Diego de Vargas, former governor, by a royal junta called by the most excellent señor, the Count of Galve, in the year 1692. He left this kingdom in 1697, and was again asked for by the said señor marquis in the year 1703. The most excellent señor viceroy, the Duke of Albuquerque,²¹⁰ having conceded the request acting under a report of the expenses of the royal treasury made by the royal *tribunal de cuentas*, decreed that the señor marquis, as governor and captain-general, should make a report [concerning Narváez] from the villa of Santa Fé. This religious came in the governor's company without royal alms and has maintained himself here, as the said señor marquis reported before his death. He serves in the place of Father Fray Buena-ventura de Contreras, who was *procurador*. Thus the number of twenty-one religious is complete.

These are the missions, the religious, and the number of Indians in this holy *custodia*. It remains to add that there have already gone out two squadrons of soldiers for the new settlements which Governor . . . Don Francisco Cuervo y Valdez, is making. One of the settlements is of Thanos Indians in the pueblo of Galisteo, and the other is of Spanish settlers in El Bosque de Doña Luisa, down the river. In both places it will be necessary to station ministers and a complete equipment for the administration of the holy sacraments and the holy sacrifice of the mass. In order that all this may be evident, and satisfying herein the royal will and my conscience, and recognizing that, for the better administration which is the intent of our Catholic king and lord, the thirty-four religious are for the present urgently needed, and that the other necessities enumerated are also most urgent and that in the places indicated for two ministers that number is requisite and imperative, I do herewith so certify to the king, our lord, and to his royal Council of the Indies.

In this mission of Nuestro Padre San Francisco de Nambé, on the twelfth day of the month of January of 1706; before me, the undersigned secretary. Fray JUAN ÁLVAREZ, custodian. By command of the reverend father. Fray JOSEPH DE ARRANEGUI, secretary.

New Mexico. To his Majesty. April 15, 1706. Don Francisco Cuervo y Valdez sends a document which Fray Álvarez presented to him in order that he might confirm its truth, and so he does, asserting that it is indeed true, and supplicating that this most urgent petition which this religious makes be heard.²¹¹

²¹⁰ Bolton (*Guide*, p. 469) lists Francisco Fernández de la Cueva, Duque de Albuquerque, Marqués de Cuellar, as viceroy of New Spain from 1702 to 1711.

²¹¹ F. R. B., Sevilla, Feb. 9. 1915.

*New Mexico. To his Majesty. Don Francisco Cuervo y Valdez sends a certificate that the two new settlements have been founded, etc.*²¹²
[Santa Fé, April 23, 1706]

Don Francisco Cuervo y Valdez, knight of the Order of Santiago, governor and captain-general of this kingdom and provinces of New Mexico, and *castellano* of its forces and presidios for his Majesty, etc. . . .

I certify to the king, our lord, and to the most excellent señor viceroy, governor and captain-general of this New Spain, etc.: That I founded a villa on the banks and in the valley of the Río del Norte in a good place as regards land, water, pasture, and fire-wood, about twenty-two leagues from the villa of Santa Fé. I gave it as patron titular saint the glorious apostle of the Indies, Señor Francisco Xavier, and called and named it the villa of Albuquerque. It has a good site and location, and I bore in mind [in all this] that which his Majesty provides in his royal laws in *título* seven, book four of the *Recopilación*. Thirty-five families have been settled, including two hundred and fifty-two persons, large and small. The church is done; it is very capacious and decent. Part of the minister's dwelling is also finished. The principal royal houses are begun, the other houses for the settlers are finished, with their corrals and irrigation ditches in place and the water running. The fields are sown; everything is in good order, and there has been no expense to the royal treasury.

I also certify that I settled the old pueblo of Galisteo with one hundred and fifty families of Christian Indians of the Thanos nation who have been scattered since the year 1702, living in the other pueblos, ranches and frontier places, poorly and unhappily. To-day they are very happily congregated in their pueblo, named Santa María de la Gracia de Galisteo. The church is newly rebuilt, as is the convent. It has no minister, bells, or ornaments. The cornfields are planted and cultivated, also at no expense up to date to the royal treasury; this is the case with both of the new settlements, to which I certify. In order that [all the foregoing] may be made evident, I give the present certification in testimony of the truth in this villa of Santa Fé on the twenty-third day of the month of April, 1706. Signed by my hand, sealed with the seal of my arms, and countersigned by the undersigned secretary of government and war, on this common paper because we have no stamped paper, nor is it in use in these parts, to which I attest, etc.

FRANCISCO CUERVO Y VALDEZ.

Signature of the secretary,
ALONSO RAEI DE AGUILAR.²¹³

²¹² A. G. I., 67-3-10. (Guadalajara 116.) A photostatic copy of this document, with an English translation of the same and explanatory statements and notes is in Bloom, "Albuquerque and Galisteo: Certificate of their Founding," *loc. cit.*, pp. 48-50. Also see the next document.

²¹³ F. R. B., Sevilla, Feb. 10, 1915.

*Printed Account of the Founding of Albuquerque*²¹⁴

At the beginning of the year 1706 he [Governor Francisco Cuervo y Valdez] founded the villa of Albuquerque, giving it the name of San Francisco de Albuquerque, in honor of the most excellent viceroy of New Spain, who was then Don Francisco Fernández de la Cueva Enríquez, Duke of Albuquerque. He reported this foundation to his Excellency in letters of June 18 and 13, 1606 [1706], in which he told, and confirmed with a certification, of having established the said villa on the banks of the Río del Norte, with thirty-five families of Spanish settlers, and he requested a chalice, ornaments, and other things needed for the church. In a *junta general* held in Mexico on July 28 of this same year to consider this and other matters contained in the said letters, there were granted the things requested for this church and for that of Galisteo. The same *junta general* notified the governor that he had acted wrongly in proceeding with this foundation without consulting his Excellency, and since a royal cedula of Señor Felipe [King Philip] V had already been issued directing the founding of a villa bearing his name, Cuervo was ordered to give the name to that of Albuquerque. Therefore, though its first title had been San Francisco Xavier, from the year of its foundation it bore that of San Felipe. In this same year Cuervo resettled the pueblo of Galisteo with eighteen families of Tanos Indians,²¹⁵ comprising ninety souls, who had been in Tesuque from the time of Cubero. He named the place Santa María de Gracia; formerly it had been called Santa Cruz de Galisteo.

In the following year he reduced some families of Tehuas Indians to the old pueblo of Pujuaque, called Nuestra Señora de Guadalupe; some of these families had been among the heathen and others were from various of the Tehuas pueblos.

²¹⁴ Archivo de Nuevo Mexico (see Bancroft, *Arizona and New Mexico*, p. 220), pp. 192-193.

Among the documents in the Peabody Museum listed under NEW MEXICO, 1620-1729 (see "The Bandelier Collection of Copies of Documents Relative to the History of New Mexico and Arizona," in *House Executive Documents*, 3d sess., 53d Cong., 1894-95, serial no. 3322), there are two documents relative to the founding of Albuquerque. These are:

"19. Testimonio del mandamiento del Virrey Duque de Albuquerque sobre la fundición de la villa de Albuquerque, 1706." (Listed on p. 313 of *H. Ex. Docs.*, serial no. 3322.)

"26. Testimonio de diligencia sobre la fundición de Albuquerque, Santa María de Orado y San Diego de Pojuaque. Ignacio Flores Mogollón, 1712." (Listed on p. 314 of *H. Ex. Docs.*, serial no. 3322.)

²¹⁵ Compare this number with the number of "one hundred and fifty families of Christian Indians" which is mentioned in the preceding document. Bloom (*op. cit.*, notes 2 and 6, pp. 49-50) explains this discrepancy in numbers by the statement: "Bancroft, *Arizona and New Mexico*, 228, misread the name 'Santa Maria de Grado,' and confused Galisteo with Santa Cruz. Hodge, *Handbook of American Indians*, I:482, also gives the name incorrectly . . . Hodge, *op. cit.*, has '90 Indians' whereas the total individuals must have been about ten times that number. He has been mislead by Bandelier and Bancroft who strangely confused the records as to this pueblo with those of Santa Cruz de la Cañada which was refounded by Gov. Diego de Vargas in 1695, north of Santa Fé."

[*Report of Don Francisco Cuervo y Valdez. July 13, 1706*] ²¹⁶

Don Francisco Cuervo y Valdez, under date of July 13, 1706, makes a report to his Majesty on the following:

He says that he has previously given notice of the two new settlements, one of Spanish settlers in the villa of Albuquerque, and the other of Christian Indians in the pueblo and mission of Santa María de Gracia de Galisteo. He remits a petition made to him by the secular *cabildo* of the villa of Santa Fé, representing the great importance to that kingdom and the settlers therein of forming and establishing a new presidio at a middle station along the road on one of the best sites which the said northern kingdom affords.

[*Council*]

Council, January 1, 1711. Send this to the señor *fiscal*.

[*Reply of the señor fiscal, Madrid, January 16, 1711*]

The *fiscal*, having full knowledge of the résumé of this letter, and having seen the two others which accompany and are mentioned in it, says: that both because of the long time which has elapsed, so that the present condition of this affair is unknown, and also because the formation of a new presidio entails considerable cost and expenditure—the appropriation therefor being even a greater impossibility, as money is indeed lacking for those presidios which it is now indispensable to maintain, and for which appropriation has been made—it would seem that for all these reasons there is no room for discussion of the recommendation that a report be requested from the viceroy concerning the representation of this governor. [The king] in Council will command as he sees fit. Madrid, January 16, 1711.

The governor himself reports on August 18, 1706, concerning the lack of missionaries for those parts. [Santa Fé, August 18, 1706]

Sir: The extensive province of Navajo is the seat, establishment, and dwelling-place of numerous rancherias of heathen Indians of this name. It extends about one hundred leagues from south to north to the boundaries of the numerous nations of Yutas, Carlanas, and Comanches. To the east it begins on our frontiers which describe a semicircle through the following places: El Peñasco de las Huellas, the San Antonio, Jara, and Culebra rivers, the old pueblo of Chama, Embudo de la Piedra Lumbre, the pueblos of Christian Indians of San Juan, Santa Clara, San Ildefonso, San Buenaventura de Cochití, San Felipe, Santa Ana, Zia, the jurisdictions of the Valle de la Cañada, Chimayo, Pecuries, Thaos, the post of San Francisco del Bernalillo, the new villa of Albuquerque, San Diego y San Juan de los Xemes, Río Puerco, Zivolleña [Sevilleña], San Joseph de la Laguna, El Peñol de San Estevan de Ácoma, the places of Santa

²¹⁶ A. G. I., 67-3-10. (Guadalajara 116.)

Ana, El Nacimiento, and El Morro, and the extended provinces of Zuñi and Moqui. The line thus extends, from one extreme to the other, about three hundred leagues. Directly to the west, the dividing line is the large river which, according to report, flows to the sea.

In all this distance there live innumerable Indians of the same [Navajo] nation, though without the knowledge which those living nearer receive from us, dwelling, as they do, in the territory extending from those frontiers to the banks and valleys of the said large river, maintaining themselves from their fields. They cultivate the soil with great industry, sowing corn, beans, squash, and other seeds, such as those of *chile*, which they use, having found them in the towns of our Christian Indians of this kingdom. Yet this is nothing new among these Apaches, for whenever they are sedentary they do the same things. They make their cloths of wool and cotton, sowing the latter and obtaining the former from the flocks which they raise. Although these things are true, the adversary of mankind, never slacking his insinuations one tittle, has perturbed the spirits of these Navajo Apaches on many occasions, as has been seen in the continuous wars which they waged from the conquest of this kingdom up to the time of the general revolt of the fatal year 1680. These wars they have continued from the year 1693 until last year, 1705, when they were halted by the war which I waged vigorously against them because of their great crimes, their audacity, and their reckless depredations upon the frontiers and pueblos of this kingdom.

From these sanguinary operations the kingdom has attained the quiet, peace, and tranquillity which it now enjoys. Indeed, the principal captain of this extended province, who is called in the native language Perlaja (as I have reported to your Majesty in my previous letters), has sent to me to ask for peace. He, being as he is the chief of all these provinces, sent various special embassies under different captains who in my presence have declared for peace through the interpreters. I am also convinced and very certain that at this time, and both before and afterwards, they sent many embassies to the said pueblos and frontiers of the Christian Indians, to learn from the governors, chiefs, and other captains about the kindness and affection which I have manifested toward the latter, and the good treatment which I have given them, defending them from the Apaches themselves as well as from enemies of other nations.

With such good advice and reasoning the [Christian Indians] have encouraged them so much that, entirely losing their fear, still other captains have come on behalf of the said Perlaja and in the name of the other dwellers in those parts, saying that they are all of one mind and are resolved to gather together and be reduced to formal settlements and live like people (to use their own words), giving obedience to your Majesty and receiving the holy water of baptism. Their good faith is attested by the confidence with which they continue to barter and trade on our said frontiers and in our pueblos, appearing remorseful and uneasy at having given occasion for the punishment recently inflicted upon them. This blow, I doubt not, Sir, has been the incentive and attraction which has brought them to this resolution. . . . Not only are ministers lacking for

these new reductions and conversions of heathen, but also for the administration of the holy sacraments and for the spiritual exercises of praying and teaching the Christian doctrine in the Christian pueblos, for there are many of these pueblos which are governed as *visitas* without ministers. Therefore their inhabitants lack spiritual guidance and cannot fulfil their obligation as they ought. . . . Santa Fé, August 18, 1706. FRANCISCO CUERVO Y VALDEZ.²¹⁷

[*Don Francisco Cuervo y Valdez to his Majesty.*
Santa Fé, October 18, 1706]²¹⁸

Sir: Since the year 1696, in which occurred the third revolt of the fifteen pueblos of this kingdom and provinces of New Mexico, concerning which I have given your Majesty accounts inserted in many parts of my letters, most of the Christian Indians of the pueblo of San Lorenzo, belonging to the Pecuries nation, have been out in the unknown land in the rancherías of various heathen nations who inhabit the wide provinces of the plains. There they had sought refuge in the asylum of barbarity, but they found, instead of the relief which they sought, labor twice as great as that which they had endured. For, many of them being able-bodied men, they were made captives and held as slaves and obliged to do all kinds of work. In this they have suffered such hardship that in an effort to escape from their oppressors, they have sent several times to ask my predecessors, the governors, to send squadrons of soldiers to take them away and restore them to their old pueblo. Being unsuccessful on those occasions, they repeated their request to me, confident that I would heed them since they were Christians and vassals of your Majesty. I considered their weighty arguments and their pressing and urgent necessity, and resolved to send at once a company of forty soldiers, composed of twenty-eight presidial guards and twelve settler-militiamen with one hundred Christian Indian allies from these pueblos and missions. The company set out from this villa of Santa Fé on July 13, under the command of the *sargento mayor* of this kingdom, Juan de Uribarri.²¹⁹ He

²¹⁷ F. R. B., Sevilla, Feb. 10, 1915.

²¹⁸ A. G. I., 67-3-10. (Guadalajara 116.)

²¹⁹ During the reconquest of New Mexico by De Vargas in the latter part of the eighteenth century some of the Pueblo Indians fled to a place known as El Cuarteletejo, or El Cuarteletejo. In 1706 the governor of New Mexico despatched an expedition, commanded by Captain Juan de Uribarri, to bring back the fugitives and others there enslaved. This expedition "journeyed through the Jicarilla country of Northeastern New Mexico, the Carlana country south of the Arkansas and then eastward from near present day Pueblo, Colorado, to the Cuarteletejos in Eastern Colorado of today." A. B. Thomas, "Spanish Exploration of Oklahoma," in Oklahoma Hist. Soc., *Quarterly* (Norman, 1928), p. 11. W. E. Dunn ("Spanish Reaction Against the French Advance Toward New Mexico, 1717-1727," in *Mississippi Valley Hist. Rev.*, II: 350, note 8, December 1915) says that "ruins believed to be those of El Cuarteletejo have been discovered in Scott County, Kansas." More lately, A. B. Thomas (*After Coronado: Spanish Exploration northeast of New Mexico, 1696-1727*, Norman, 1935, p. 19) has located El Cuarteletejo "in the branches of present Horse Creek in either western Kiowa or southern Lincoln county," Kansas.

entered the said provinces, discovering the most extensive, pleasant, and fertile territory to be found in all that has been conquered. He reached the great settlement where there are the numerous rancherías of El Cuartelejo.²²⁰ On the road he left many nations of Indians pacified. He reconnoitered many large and fine watering-places, among them the largest river which exists in these kingdoms, and he took possession in your royal name of all the land which he discovered, naming and designating it the province of San Luis and the great settlement of Santo Domingo del Cuartelejo. There, having treated the heathen nations with much affection, flattery, and cordiality, he succeeded in getting them to turn over readily and voluntarily seventy-four persons, large and small, of the Pecuries nation. Among these were the two Indians with the greatest following, the leading men and chiefs of these pueblos, called Don Lorenzo and Don Juan Tupatú. They have been dealt with very kindly, even having been restored and placed in their former chief pueblo, and turned over to their minister, Reverend Father Fray Francisco Ximénez, who absolved them of their apostacy with great solemnity and tenderness, to the consolation of all the dwellers in this kingdom. The ceremony of the delivery and reception [of these Indians] was authentically attested to by both the reverend father minister and by Captain Don Félix Martínez, *alcalde mayor* of that jurisdiction, and I am sending the original documents²²¹ herewith to your Majesty, with the other instruments, certificates, the letter, and the diary of this campaign and new discovery written by the *sargento mayor*, Juan de Uribarri.²²² . . . Santa Fé in New Mexico, October 18, 1706. FRANCISCO CUERVO Y VALDEZ.²²³

*Note communicated by Don Salvador García Noriega, alcalde mayor of San Juan de los Caballeros in the province of New Mexico, with the concurrence of the father minister of the same pueblo, Fray Santiago Fernandes Sierra*²²⁴

In the months of December and January, when the Río del Norte is usually frozen over so thickly that laden carts cross upon the ice, eagles with white heads and necks come to its banks, and at sunrise perch on the trees near by. In a little while, circling in the air, they fly to a great height, whence they descend, head downward and wings drawn back, with the swiftness of a shooting star. The noise that they make is so great that it sounds like thunder, and while they are still more than a hundred yards away the ice makes loud cracking noises, and when they reach it a large hole is already open. The eagle enters by it and seizes in its claws a fish weighing four, five, or more pounds, which it eats upon

²²⁰ See preceding note.

²²¹ They are not with this letter, nor in this *legajo*.—F. R. B.

²²² English translations of the Uribarri diary and other documents relating to his campaign to El Cuartelejo are in Thomas, *After Coronado*, etc., pp. 59-80.

²²³ F. R. B., Sevilla, Feb. 11, 1915.

²²⁴ A copy of this document was not included in the Bandelier Collection; the present translation is that of the copy in the Bancroft Library (see *N. Mex. Docs.*, II: 662-664).

the ice if no one prevents it. The most remarkable thing is that in a short space of time the ice is already closed up. Only the signature of the father collector appears.

Although this note has been copied as a marvelous incident of natural history, we cannot set aside the distrust inspired by the observations of La Fontaine of Grenoble upon the Phoenix, and other fables which were believed in for many centuries and supported by respectable authors.

*Notes upon Moqui and oither recent ones upon New Mexico [written by Fray José Narvares (Narváez) Valverde. Senecú, October 7, 1732]*²²⁵

In the year 1680, during the general uprising in the kingdom, the Indians in the province of Moqui, after having killed three religious, sons of our most holy father, Saint Francis, became apostates. This province of Moqui is about one hundred leagues to the west of the villa of Santa Fé, capital of this kingdom, and comprises a large number of Indians, who lived in seven pueblos, built for their security on rocks and hills, inaccessible because of their roughness and height, and in a land of so little water that in the whole of it there is not one stream, and its few springs are so meagre that the most copious one does not run as far as a gunshot. These Moquis remained on their height in primitive freedom, subject to one Indian among them called Francisco de Espeleta because of his having been brought up and taught to read and write by a religious whose name was Espeleta and who was called Don Francisco by the said Indian. Since this uprising it has not been possible to reduce them, notwithstanding the efforts that have been made on the part of his Majesty's forces as well as of the religious, whose apostolic desires have always had as their aim the conversion of those souls. Carried away by this zeal, in the year 1699 the father preacher, Fray Francisco Álvarez, having obtained the permission of the custodian, set out apostolically on the road to the said province. The governor, having been informed of it, summoned him in the name of the king to return, as he had information that they [the Indians] intended to kill him. He therefore required him to return to his mission, which he did.

In the following year of 1700, carried away by the same zeal, Fathers Fray Juan de Garicochea and Fray Antonio Miranda set out on the road apostolically for the said province of Moqui. They reached the first pueblo, called Acuatubi [Aguatubi], where they reduced all the natives and baptized many. Desiring to remain among them, from here they notified the Indian Don Francisco Espeleta that it was their intention to go on to the other pueblos. Upon receiving this news the said Indian Espeleta came with more than eight hundred Indians to the place where the two religious were, and the latter went out about the distance of an arquebuse shot to meet

²²⁵ A. G. M., Historia, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 664-678).

them. As soon as the Indians saw them they began to draw their bows and threaten the religious with them, but they did not fire any arrows, though some of them struck the fathers some blows with their bows.

The Indians entered the pueblo, where the religious labored more than six hours, preaching to the said Don Francisco de Espeleta and those of his chiefs who were acquainted with the Castilian language, and yet with all this they returned to their pueblos that same day indifferent and obstinate. The religious remained there some days instructing the Indians already reduced and then went back to their missions to make ready some things for their return, and to report to the prelate and to the governor, so that the latter might station some soldiers there to protect those Indians.

At this time, his people being infuriated because the Indians of the pueblo of Aguatubi had been reduced to our holy faith and the obedience of our king, he [Espeleta] came with more than one hundred of his people to the said pueblo, entered it, killed all the braves, and carried off the women, leaving the pueblo to this day desolate and unpeopled. Learning of this outrage, Governor Don Pedro Rodríguez Cubero made ready some soldiers to punish it, and in the following year of 1701 went to the said province of Moqui, taking with him the aforesaid religious, Fray Juan Garicochea and Fray Antonio Miranda. With his armed force he killed some Indians and captured others, but not being very well prepared to face the multitudes of the enemy, he withdrew and returned without being able to reduce them, especially as the Moquis had with them the Tanos Indians, who, after committing outrages, had taken refuge among them and had risen at their command. Subsequently, in the year 1707, Governor Don Francisco Cuervo y Valdez on two occasions sent to the province of Moqui a squadron of soldiers, and each time the father preacher, Fray Juan Mingues, went with them.

In the latter part of the month of August, 1716, the father custodian, Fray Antonio Camargo, accompanied by the father preacher, Fray Domingo de Araos, went with Governor Don Félix Martínez ²²⁶ to the said province of Moqui.

The Indians, having been notified, assembled in the pueblo of Gualpi, which is situated on an inaccessible rock, and three of the four principal chiefs, or *caciques*, who, because of the death of the Indian Espeleta, were governing the province, being urged by the reverend father custodian and the governor, under the security of the royal word and promises on the part of the said father custodian, came half way down the rock, but the chief and most important one obstinately remained a little higher up on the said rock, so that the said reverend father custodian was compelled, at the evident risk of his life, to climb up to the cliff where he was. This he did as well as he could for the rocks, and he persuaded this Indian (who was called Don Cristóbal Chugura) to come down, and convinced him of the importance to him of concluding peace. After much arguing the four descended, the father custodian leading the said Don Cristóbal by the

²²⁶ Bloom ("The Governors of New Mexico," *loc. cit.*, p. 155) lists Félix Martínez as *ad interim* governor of New Mexico from 1715 to 1717.

hand, and when they were all assembled on the plain below he carefully explained to them the danger to their souls and peril to their bodies unless they rendered the obedience due to God, our Lord, and our Catholic king by submitting themselves to the rule of the church and the governor; at the same time the proper proposals of peace were made to them. All this had no effect whatever, for the Indians, having asked for time to consult among themselves, the camp, governor, and religious retired; and when at the end of five days they returned to the pueblo to see what the Indians had to say, they found many people there. Coming halfway down the cliff with a gun in his hand, one of the *caciques*, after abusing the reverend father custodian, the governor, and the religious with insulting words, fired, while his people let fly an infinitude of arrows; the result was a war against them, with the laying waste of cornfields and some deaths.

In the year 1724, Fathers Fray Antonio Miranda and Fray Francisco Yrasabal entered the said province of Moqui apostolically in the month of May, making their way into the great pueblo of Oraibe. Although the fathers preached to them that they should accept the evangelical law which they had professed and submit themselves to the pale of the church, they were only able to obtain some hopes for the future—nothing more. When Reverend Father Fray Francisco de Archundi went to the province of Moqui, in his zeal for the reduction of so many souls, he spent twenty-four hours in the said pueblo of Oraibe, but to his zealous promptings they gave only the same hopes that they had given to all the other religious, without any other special demonstrations than those that they were in the habit of making.

I, Francisco Yrazabal, commissary of the Holy Office, and missionary of this holy *custodia* of San Pablo of New Mexico, certify that it is true that I entered apostolically among the apostate Indians of the province of Moqui, and that I was one of those who went there twice. That it is true I swear *in verbo sacerdotis*, and in attestation thereto I signed it at this mission of San Antonio Zenecú on the seventh day of the month of October, 1830 [1730?]. Fray FRANCISCO YRASABAL.

I, Fray José Narváez Valverde, lay religious and notary of the Holy Office, certify that, having assisted in this holy *custodia* since its reconquest, which was in the year 1692, I have seen and communicated with the religious who have gone apostolically to the province of Moqui and the others who have assisted in the campaigns that have been made in it; and I positively certify that when I was in the province of Sonora, beyond the missions of the Pimas in the country of the Tibutas,²²⁷ where I saw some Cocomaricopas Indians, I heard none of them say that the Indians of Moqui extend to the said province of Sonora. That it is true I swear in due legal form, before God, our Lord, and the holy cross; and I signed it with my signature and customary rubric in this mission of San Antonio Zenecú on the seventh day of the month of October, 1732. Fray JOSÉ NARVARES [NARVÁEZ] VALVERDE.

²²⁷ Probably a miscopy for Tibuntana.

[*Letter of Governor Gaspar Domingo de Mendoza.
Santa Fé, October 31, 1742*]²²⁸

Very Reverend Father Commissary General, Fray Pedro Navarrete. Reverend Father and dear Sir: Although it is not long since I wrote to your reverence, it is proper for me to do so at this time, in respect to you as well as in order to carry out my duty. I therefore declare that, inasmuch as God, our Lord, has been pleased to bring about the conversion to our holy Catholic faith of four hundred and forty-one heathen of both sexes, comprising two hundred and twenty-five women and two hundred and sixteen men, of all ages, in the province of Moqui, distant from the borders of this kingdom about forty leagues to the east [west], the said conversion being accomplished by the efforts and labor of the father emeritus, Fray Carlos Delgado (and as I have already given various papers to the fathers of this holy *custodia* at their petition and for their justification, which your reverence must certainly have seen, I do not repeat here the form followed in order not to weary you), and as it appears that congratulations are to be given to your reverence in this matter, for it is without doubt for the service of God and the gratification of the king, my lord and master, I do give them to your reverence, with all the circumstances pertaining to the case, as for instance, the fact that your reverence excused yourself from going to Viní under the pretext that the Indians were in revolt. It seems to me that it is not right to impute to them a thing so grievous when it was not so, for I know in spite of all their ill behavior that it was unnecessary to offer this excuse for not going, as Father Fray Jacinto is staying there contentedly and does not want for anything. It is certainly the best mission that this kingdom has, with the exception of the long distance, as it is twenty-five leagues to the nearest, which is Ácoma, and Laguna; but, as the said religious has made up his mind not to remain in the said Viní, it is well for your reverence to remove him to another that it seems to me will be better. And your reverence should bear in mind the father emeritus, Carlos Delgado, as well as his companion, Fray Pedro Pino, who worked in the said reduction, especially the first. Santa Fé, October 31, 1742. GASPAR DOMINGO DE MENDOZA.

*Letter of Father Fray Ignacio Pino. [San Felipe de Albuquerque,
November 16, 1742]*²²⁹

Very Reverend Father Commissary General. Our Reverend Father: By various letters that your reverence must have received from this *custodia* of New Mexico you must have had full information of the

²²⁸ A. G. M., Historia, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 678-681). Bloom (*op. cit.*, p. 155) lists Mendoza as governor of New Mexico from 1739 to 1743.

²²⁹ A. G. M., Historia, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 681-684).

entrance that we—Father Fray Carlos Delgado and I—made apostolically into the province of Moqui, with permission of our father custodian. The souls that were saved numbered four hundred and forty-one, and there would have been more, our most reverend father, if there had been any means of transporting them to this *custodia*, for by the reports your reverence will have learned that the people who met us as well as the said recently converted ones, are divided among the missions of this *custodia* until new orders come. In regard to this point I can do no less than beg and pray your reverence, for the love of God and our father, Saint Francis, to take steps that they shall not remain so, for it is almost impossible to make a success of teaching the older ones the law of God and our offices necessary for their baptism; besides which they learn from the companies of soldiers the bad and do not imitate them in the good. Much might be accomplished, our reverend father, with these tender plants if they were placed in their own pueblos or in one pueblo alone, which is what they ask for and desire. O! very reverend father, would that one could obtain the happiness of speaking with your reverence! But if your reverence please I ask and pray that you grant me permission so that I may be able to do so. I, very reverend father, at the time when we made a stay in the said province of Moqui, ascended personally to all the cliffs and pueblos of the Indians, and, trusting in what the Divine Majesty tells us through the mouth of Saint Matthew, Chapter X, *no libe cogitare quid loquamini* etc.,²³⁰ I preached the divine word and the holy gospel to them.

I also entered the province, or pueblo, of Oraibe, and was well received and entertained according to their ability, and here also I did in fulfillment of my duty the same as in the other pueblos. I believe, very reverend father, that it would weary you very much if I should say all that I wished, and what I have said is according to what it seems to me that God commands me. *Custodia* of New Mexico, Mission of San Felipe de Albuquerque, November 16, 1742.

*Letter of Fray Cristóbal Yraeta.*²³¹ [*Paso del Río del Norte*,
November 24, 1742]

Reverend Father and our Commissary General: With Father José Mariano Lopes I have written to your reverence giving an account in detail of the events in this holy *custodia*, in the matter of the father *procurador* and preacher, Fray Francisco Bruno de la Peña, as well as other things in this said *custodia*.

I must give your reverence some very joyful news, with which, I hope in God, your reverence will receive much pleasure, for the great service that has been done to both Majesties and the credit to our holy religion. It is that the conversion of four hundred and forty-one souls of both sexes has been accomplished, they having been brought out of bondage through

²³⁰ Matthew 10: 19—“ . . . take no thought how or what ye shall speak. . . . ”

²³¹ A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 684-689).

the efforts of two persons, sons of your reverence, the father emeritus, Fray Carlos Delgado, and the father, Fray Ygnacio de Pino, who, having entered the province of Moqui apostolically to sow the divine word, gathered the copious harvest stated above.

And in order that your reverence may not lack any detail of what was done, I am sending these rough copies of a petition of my vice-custodian and the reply of the governor of this kingdom, which are the ones that I have in my possession. The reason why I do not send the originals is because of the carefulness of the said vice-custodian, who was not willing to entrust them to the soldiers who came as couriers, and just as soon as he sends them to me I will try to despatch them to your reverence, so that you may take with the viceroy the most desirable steps for the good of the Order. As the said converted Indians are crowded into the pueblos of these Christian [Indians], with much discomfort and discontent, I pray that as soon as possible your reverence will solicit from the señor viceroy a royal decree granting to the said Indians their former pueblos, such as Pajarito, Alameda, and Zandía, which were the ones that they possessed when they revolted in the year 1680. This request is made because the governor of this kingdom excuses himself [from taking action] by saying that he cannot do it without an order from the superior government.

Our most reverend father, I assure your reverence that the said governor is very remiss and does not assist us in anything, for if he had given us men sooner this could have been accomplished sooner, and if he had aided us on this occasion as he should have done, many more would have come out of that bondage than those who did come; for, because there was no one to help in carrying the children, the old, and the sick, a great many remained among the said Moqui. But with the help of God, next year the fathers will enter to make new efforts, and thus it will be made clear to our lord, the king, and to all the world that it is not because of us that the sowing of the divine word is retarded; and that often the reason why no harvest is gathered is attributable to the very negligent ministers that his Majesty (whom may God preserve) has, who attend only to their private interests. May God remedy it. I give your reverence the congratulations due for this triumph that has been won in your reverence's time of office, and may God be pleased to grant your reverence good health and long life, so that you may see the innumerable heathen in these lands subjected to the pale of the church and of our holy Catholic faith. Paso del Río del Norte, November 24, 1742.

[*Letter of Governor Gaspar Domingo de Mendoza y Delgado.
Santa Fé, June 30, 1743*]²³²

My Very Reverend Father Commissary General, Fray Pedro Navarrete. Reverend Father and very dear Sir: At the present juncture an order from your reverence was delivered to me by direction of the reverend father custodian, Fray Gabriel de la Hoyuela, who came eight or ten

²³² A. G. M., Historia, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 689-692).

days ago to this capital. On account of my many occupations I have not been able to communicate with his reverence, although at the same time I have offered to do all that my poor abilities will permit in his favor.

My most pressing task has been the inquiry into the abominable conduct of a Frenchman, one of those who came here in the year 1739,²³³ concerning whom I have already reported at length to that court. This person, after arriving here, attempted with subtle plots to incite the Indians of this kingdom to revolt. This has been going on since October of last year, which was the occasion when he saw the new converts; but, since God permitted that he should not carry out his evil intention, I came to know of it in the early part of May of the present year, and, having caused him to be arrested and his case to be tried, as appears in the judicial record that I am sending to the court, I sentenced him to death by having his heart taken out through the back. Twenty-one hours, more or less, before he went to the torture, which was to have been on the first of the present month, I received a letter from Father Fray José Yrigoyen, in which he tells me: "The said criminal is involved in cases to be tried by the Holy Tribunal." This letter I am sending to Señor Don José Carrillo y Veoma, and, since your reverence belongs to the family of the holy and upright tribunal, it seems to me that they can show it to you. I knew very well, although I suspended it at once, that I could go on with the execution of a criminal of this class, for many reasons of which I am not ignorant; and, finally, reverend father, those gentlemen will examine into it there. I am very busy sending off this mail, but I hope afterwards to inform your reverence of what I have told the reverend father custodian, with which your reverence should agree. Santa Fé, New Mexico, June 30, 1743. GASPARD DOMINGO DE MENDOZA Y DELGADO.

*Letter of the Reverend Father Fray Carlos Delgado.*²³⁴
[Isleta, June 18, 1744]

Reverend Father and our Commissary General, Fray Pedro Navarrete. Our Most Reverend Father and my dear Sir: With due humility I give your reverence account of how, on the third day of March of the year 1744, I left this mission of La Isleta, as I have already told your reverence, for the province of Navajo, taking with me Father Yrigoyen. We reached the mission of San Diego de los Jemes, where the said father

²³³ Reference probably is to the "trading party of eight or nine men, led by the Mallet brothers," who, in 1739, left the Illinois country, "ascended the Platte River and made their way through the Comanche country to Taos and to Santa Fé. After being detained several months in friendly captivity, six or seven of the party returned, unharmed by the Spanish authorities, and bearing evidence that the residents of New Mexico would welcome trade." H. E. Bolton, *Texas in the Middle Eighteenth Century* (Berkeley, 1915), p. 67. Bloom ("The Governors of New Mexico," *loc. cit.*, p. 155) lists Mendoza as governor of New Mexico from 1739 to 1743. For further details concerning the French who came to New Mexico during Governor Mendoza's term see: "Declaration of Fray . . . Menchero, May 10, 1744," *infra*, pp. 401-404.

²³⁴ A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 692-701).

resides, and which is near the said province of Navajo, after having traveled for four days over a rough and impassable road. In many places it was necessary to go on foot, as the floods were so dangerous; and, in short, our reverend father, we had to contend on the said roads with cold, heat, floods, and every sort of inclemency that the weather can offer, troubles well merited for my great sins. Nevertheless I did not grow faint-hearted, and, fortified by the assistance of God, our Lord, whose Divine Majesty granted that I should obtain the fruit that he desired, we found some *rancherías* with not a few people, and in the principal ones captains and *caciques* who received us with a great show of joy and gladly listened to my words and those that the said father spoke to them, which were all directed to advising them to lead a good life, and to explaining what they ought to believe, and that they ought to detest these manifest deceits by which the devil had blinded them and incapacitated them for salvation. They came up and thanked us for all of this, telling us that up to that time there had never been any one to enlighten their profound blindness, and that, accepting our teachings as true, they desired to be Christians and to renounce their errors. They begged us to remain a few days longer while they called the rest of the people who were scattered about in those parts, so that they might hear the same that they had heard. We therefore remained for six days, during which they repeated these statements; and, as a result of their summons, the others were arriving, a matter which, as they are a rustic people, was not managed very quickly. Finally, our most reverend father, all became Christians and were placed in missions in their own province, which is not far from this holy *custodia* and very suitable for settlement. It also promises some profit to this kingdom and even to New Spain, for it appears to be very rich, not to speak of the treasure in souls, which are innumerable. Your reverence is not ignorant of the fact that in the beginning all enterprises are difficult, yet I have found these easy, from which I know that the means and ends must have been more worthy.

After the said natives had made their decision I determined to take them into the presence of the señor governor, to which they agreed, and sent us off, saying that they would come at the sign of the full of the moon. They kept their word and came, and I, with my said companion, took them into the presence of the governor. He received them very kindly, and spoke to them excellently, his statements harmonizing with what we had already told them. He caressed and flattered them, and took them under the royal protection as vassals of a king so Catholic that he would protect and defend them from all their enemies. Meanwhile he was making a report to his Excellency. For this purpose I gave him a description of the extent of the province, as well as of its people, who are very numerous, giving his lordship full knowledge of what was to be done, and on the present occasion he reports to his Excellency and waits his superior decision.

This, our most reverend father, is what has been done up to now by me, and it has cost nothing but my work and some trifles that I have disposed of in order to provide myself with beads, ribbons, tobacco and other little things to please them, but until more [of such goods is available] they

will be more effectively converted with arms, which, accompanied by words, produce an effect and accomplish a great deal. I would like to do the work but cannot, for I lack the strength and this land is very poor. I have attracted all these heathen and won their good will by the news that is passed from one to another of the good treatment that I give them, and the presents that I bestow upon them, all of which works for their reduction. By the enclosed your reverence will see the other enterprise that remains for me—which will be, if God wills, [to go] in March of the coming year to El Gran Teguajo [Teguayo]. It is necessary to do it even though mountains of difficulties must be surmounted and [even though I die in the attempt] the old are not greatly missed. By so doing I can stop many mouths—that of the bishop and that of the Jesuits, who accuse us of being lazy, and also those of many who cast aspersions upon our holy habit.

God and our holy father, Saint Francis, have permitted—for few of us would consider ourselves worthy—that I, the least individual, shall have commenced these enterprises and won in them such goodwill among all the heathen, and even among the Christians, that in every pueblo they desired to have me as their minister, but I cannot because I am one only. I do enough in confessing the others, which they do not do [for one another] because they are sons of different mothers. I send here also a certified copy of the letter written to me by the señor governor, which is a testimonial not to me but to the whole Order. As soon as I have rested a little, for being old I now get very tired, I have resolved to go to the province of Moqui, which will be in the latter part of July, to bring out the bodies of the fathers who were martyred there, to bring out the Tanos nation, and to place in pueblos the four nations that formerly were among the Indians. I cannot doubt that the bodies of the said fathers are intact, knowing as I do of their ecstatic lives. Isleta, June 18, 1744.

*Letter from Father Fray Carlos Delgado to the Reverend Father Commissary General, Fray Pedro Navarrete.*²³⁵ [Isleta, June 18, 1744]

Reverend Father and very dear Sir: Although I have already written to your reverence, I am going to add this, for the reason that I wrote the other letter for the public, whereas I am writing this [to impart] certain things that cannot appear. First I desire to supplicate your reverence to tell the father *procurador* to send me some things necessary for making presents to the heathen Indians, such as beads, ribbons, and cloth, and that this be charged to my account in the *custodia*.

To me, our reverend father, there is not lacking bodily strength, nor courage, nor the will to go on, both day and night, suffering hardships among the heathen, for my sins are many, and I wish by means of conversions to placate the just wrath which his Divine Majesty has against me; what is indeed lacking to me is the means for the necessary expense,

²³⁵ A. G. M., Historia, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 777-786).

for all that I had has now been spent in this holy purpose, and I now find myself, thanks to God, like a son of our superior father, Saint Francis.

On this journey to Navajoo [*sic*] I was left without a habit, or sandals, or anything else, on account of the country's being so rough; I am, our reverend father, indecent to appear before a human being, and I have no one to whom to apply unless it is your reverence, of whom I ask, not a new habit or new sandals, but something old that may be spared there. In regard to the Jesuit fathers, I have been informed of your reverence's letter, and I assure you that if the said fathers come they will go to the province of Moqui with great risk to their lives.²³⁶ Although I say that, I will be a shield and do everything in my power to prevent them from being harmed, though neither they [the Moquis] nor the neighboring heathen want any other ministers than the Franciscans. At this time several [of the Moquis] have come to urge me to go in, which I shall do, with God's help, as soon as the heat stops and it rains, so that there may be water on the road.

The governor of this kingdom is asking the señor viceroy in this [mail] for three or four religious for the province of Navajoo, and if he grants them, I beg your reverence, for the love of God, to see that they are over forty years of age, mild and humble, stripped of all property, and that they know how to endure many hardships. This, though I myself shall be able [to do it alone, will insure] everything at the missions being adjusted in accordance with the holy laws which his Catholic Majesty (whom God preserve) has issued for that purpose. As I am now busy in so many conversions, especially in that of Moqui and of Navajoo, together with that of *el gran trabajo*, or Teguajo,²³⁷ which I must enter in March, I cannot get away, either for a stay in these parts or the others. It is therefore necessary that your reverence shall send me a young assistant religious to supply this mission where I now am, for when I go out there is no one to stay here, and if there were some one to remain in my place to administer the holy sacraments I could go without anxiety to the conversions. These conversions, most reverend father, are extremely necessary, and I know they are pleasing to God by the ease with which I am making them, and they are arms which the Divine Majesty gives us to defend ourselves against all these enemies who have raised themselves against us here during the last fifteen years. I am sixty-seven years of age, but, judging by the strength that I feel in myself I would say that I have seven and sixty spiritual arms to defend this holy *custodia* from so many enemies. They will be conquered, for envy and greed never prevail. If the province attracts others because of the [mines in the] Sierra Azul,²³⁸ I desire it only for the souls. Some there are who wish to convert even the spiritual into corporal things and profits; but we others, animated by spiritual enthusiasm, desire everything earthly to give, as is just, eternal

²³⁶ "After much discussion, in 1741 the Moqui district was assigned to the Jesuits." In 1745 "the Moquis were again assigned to the Franciscans." H. E. Bolton and T. M. Marshall, *The Colonization of North America, 1492-1783* (New York, 1920), p. 304.

²³⁷ This phrase seems to be a play on words; *i. e.*, the "great labor" of *El Gran Teguajo*, or Teguayo.—C. C. S.

²³⁸ See "Report on the Sierra Azul," *infra*, pp. 411-412.

praise to our God and Lord, which is the end that every evangelical minister ought to long for. Would to God that all would do thus, even if the [Jesuit] fathers shall have charge of Moqui. Not that this will come to pass, for, by what has happened, it has become fully evident that the report made by the said fathers for the purpose of securing the cedula has had no effect. I have heard it said that they reported to his Majesty that the Moquis wanted black fathers [Jesuits] to convert them, but if this were so they would not receive, as they have received, the blue ones [Franciscans], but they would be waiting for the black. It is not the color that converts, reverend father, but the substance of the word of God, and if the law preached by the Jesuits is the Divine Law, I also preached it, and it is idle to ask God to convert the already converted.

If the fathers of the Company [of Jesus] enter Moqui with soldiers and a rabble of people they will accomplish nothing, what I have succeeded in doing will be wasted, and there will be great expense to the *real hacienda*, which I have not occasioned, nor shall I do so. With these reasons, and the laws that support them, I will oppose their entrance if they come (although in my opinion their coming is very uncertain); and when they enter they will find me in Moqui, and they will see whether the Indians love me or their religious and their reverences, when I tell them to go to the Sierra Azul for the riches there (if they can), for these things do not matter to the Franciscan friars. In Navajoo they [the Indians] spoke to me of other wealth but I valued it as the dust, and it is not because I say it, but I assure your reverence that a miracle has been wrought upon them. With the permission of the Lord I shall conquer them. Even to-day it is enough, our reverend father, for me to appear among the heathen in this manner for our father, Saint Francis, to cause them to yield immediately. Mission of La Isleta, June 18, 1744.²³⁹

[Declaration of Fray Miguel de Menchero.
Santa Bárbara, May 10, 1744]²⁴⁰

AVE MARÍA

Declaration that I, Fray Miguel de Menchero, apostolic preacher-general, *calificador*²⁴¹ of the Holy Office of the Inquisition, apostolic notary, ex-custodian of this holy province of El Santo Evangelio, *ex-visitador* of the *custodia* of the province of San Pablo of New Mexico, and its present *procurador general*, make as such, by virtue of the written permission that was given to me for it by our very reverend father, Fray

²³⁹ The above paper refers apparently to the jealousy and rivalry existing between the Jesuits and Franciscans. Father Delgado was evidently working to prevent the entrance of the Jesuits among the Moquis, and made a veiled accusation that the principal motive of the fathers of the Company was to secure the gold to be found in the Sierra Azul. His style of writing is so involved and obscure that it is difficult to make out his meaning in some parts.—N. V. S.

²⁴⁰ A. G. M., Historia, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.* II: 704-777).

²⁴¹ *Calificador*, officer of the Inquisition, appointed to examine books and writings.

Manuel Ensizo, lecturer emeritus, *calificador* of the Holy Office, ex-*definidor* ²⁴² of the provinces of Yucatán and Dulcísimo Nombre de Jesus de Guatemala, father of the province of El Santo Evangelio and minister provincial of it; and, by virtue of a written order issued by the most excellent señor, the Count of Fuenclara, ²⁴³ viceroy, governor, and captain-general of this New Spain, through the commission conferred upon the *contador general* of *reales azogues*, Don José Sanches Villaseñor, by whom it was delivered to me, that I should make a survey of the vast kingdom of New Mexico—of its cities, villas, and parochial pueblos, its convents, farms, and ranches, and their missions. As *procurador general* I shall give a description of those of New Mexico, since their foundations, branches, and progress are under my charge.

FOUNDATION OF THE CUSTODIA

In the year 1608, after Father Fray Antonio Peynado with other religious entered New Mexico, seeing the great multitude of people and the extensive harvest that might be gathered by evangelical workers for the augmentation of our Catholic faith and the expansion of the dominions of his Majesty (whom may God preserve), the said father advised the prelates, and they advised his Majesty, or his Excellency, that it should be provided with ministers and evangelical workers, and in the name of his Majesty thirty religious were sent, the reverend father emeritus, Fray Esteban Perea, being appointed as their prelate. ²⁴⁴

They went on their way jubilant and happy, and were still more so when they saw the end that they desired fulfilled in finding such a great number of souls ready to be dedicated to God by means of their spiritual labor and apostolic zeal.

From this time the missions increased until they reached the number of sixty, propagating the faith and spreading it throughout that vast kingdom, to its spiritual advantage, as well as the material advancement of the dominions of his Catholic Majesty. The missionaries applied themselves at the same time to learning the several difficult languages that are in use among the many and distinct nations of the Queres, Zumas, Teguas, Tanos, Jemes, Pecuries, Piros, Taos, Mansos, Faraones, Ácomas, and Zúñis, that of the province of Moqui, those of Oraibe, Xongopabi, Escuatubi [?], and many others which I omit.

The religious busied themselves in this holy employment until in the year 1666 the holy *custodia* had increased so much that his Majesty was advised on the part of the Order to form it into a bishopric, for there were more than twenty-four thousand Indian men and women in all the missions established by those religious; but the matter had not been decided nor

²⁴² *Definidor*, one of the members of the governing assembly in religious orders.

²⁴³ Bolton (*Guide*, p. 470) lists Pedro Cebrián y Agustín, Conde de Fuenclara, as viceroy of New Spain from 1741 to 1746.

²⁴⁴ For details concerning the rôles in New Mexico of Fray Alonso Peinado, who came to New Mexico as prelate and with a group of friars in 1609, and of Fray Esteban Perea as custodian, and later as commissary of the Inquisition, see Scholes, "Problems in the Early Ecclesiastical History of New Mexico," *loc. cit.*, pp. 48-65.

the proposal put in effect when, in the year 1680, the Indians of Moqui, with all those of the interior of the kingdom of New Mexico, revolted. All the pueblos, villas and *lugares* had agreed upon the same hour and day, that of San Lorenzo, August 10,²⁴⁵ and they acted like bloodthirsty wolves in taking the innocent lives of twenty-one religious, some of them being burned, others killed with arrows, or blows of the *machete*, and all suffering for the defense of the faith and the Catholic religion.

These cries reached their mother and mine, the province of El Santo Evangelio, which, like another Rachel, weeps for them, and the voice of her lament reaches to heaven. But at the same time she is consoled for these deaths, for she considers that their lives have been crowned, and, without applauding them as martyrs or celebrating them as saints, she remembers the blood poured out by her sons to the spiritual example and edification of so many converted souls for the greater glory and honor of God; and she feels also for the good work that was built up in a hundred years by her missionaries, lost in a single hour.

In the midst of these troubles and anxieties my mother, the holy province, found herself planning the spiritual and material regeneration of the great ruin which she mourned for her daughter, the conversion of San Pablo of New Mexico, when, reflecting upon her institute and the deeds of Christ, our life, she determined to rebuild, not terrified by the severities of the past destruction, although she believed that the obstinate apostates from the Catholic religion were not disposed to receive new missionaries, some through fear of well-deserved punishment and others because they did not desire to abandon their infamous practice of idolatry.

After David suffered the persecution of Saul those who wished him well admonished and advised him not to return to Judea, for Saul, knowing that Ahimelech and the priests were of the faction of David, ordered all those in the city of Nob to be killed (chapter 22, book I, Reg.).²⁴⁶ For this reason they warned David not to return to Judea, where the cruel impiety of Saul was known, but David, like Christ, our Lord—who was advised by his disciples and apostles not to return to Jerusalem, where he would have to suffer tortures, insults, blows, and an ignominious death, but carried away by zeal for the redemption of the universe and obedience to his eternal Father, did not accept their advice—David, then, after the manner of the prophet and Christ, our life, who remained in Jerusalem without being terrified by the tortures, blows, and frightful death of the cross, returned to Judea. How then could my mother province, with the rule of her seraphic law, which, more even than David's, is that of Christ, our life, permit her soldiers and evangelical sons to turn their backs to the fury and might of the barbarians? Therefore, in imitation of David in Judea and of Christ, our life, in Jerusalem, it was resolved to send new missionaries for the reduction of the apostates and the instruction of the heathen. The new religious, named by agree-

²⁴⁵ "The evidence shows conclusively . . . that . . . the 11th of August [1680] . . . [was] the date set for the outbreak of the revolt." Hackett, "The Revolt of the Pueblo Indians . . . in 1680," *loc. cit.*, p. 103.

²⁴⁶ I Samuel 22: 16-20.

ment with the most excellent señor viceroy in the year 1681, joyfully received the benediction of hunger, cold, thirst, and what is more, a frightful death, in imitation of Christ, our life, for the exaltation of the honor of God, and because, according to the gospel, never do they show themselves better sons of our lord and father, Saint Francis, than when, without turning their backs upon danger, they return to the same convent and the same territory obediently, knowing how to bare their breasts to danger and forsaking temporal life for the salvation of all those souls, seeking in this only the greater glory of God among those whom they mourn as apostates and groan for as infidels.

These religious set out for the *custodia* and went as far as El Paso del Río del Norte, where they met at the pueblo and mission of San Lorenzo (for it had been set up there) the governor, soldiers, and religious who had remained at that place. Upon the arrival of Reverend Father Fray Francisco de Ayeta, *procurador general*, with the assistance that his Majesty (whom may God preserve) gives for the missionary religious, which he at once distributed among them all—that is to say, among the newly-chosen missionaries and the Indians who were accompanying them, reënforced now by the religious, soldiers and Indians [who had remained there]—the governor decided that the father missionaries, with some soldiers, should enter the kingdom, and they traveled some seventy leagues to the north to the pueblo of Zenecú, where crops had been planted. When the fathers sought the Indians they fled to the high sierra and refused to come down at their call, being suspicious, perhaps, that it might be their purpose to punish them for the outrage of the preceding year of 1680, and up to the present they have not come back to settle. The fathers went on and at the end of one hundred and eighty leagues, the distance to the kingdom of New Mexico and capital of Santa Fé from the said San Lorenzo (I saw that the whole way was a desert, uninhabited even by birds) they found the pueblos, which were formerly populous, desolate and without people—that is, El Socorro, Alamillo, Sevilleta, Zandía, Xongapavi, Cuarac, Jacique, Abbo, and others which I omit, and which are some leagues to the east and west of the *camino real*.

As the religious proceeded northward, they made clear to the satisfaction of the Indians that none of those who had been captured previously had been punished, and they made peace as they went. I shall indicate below those who were reduced to pueblos as follows:

Pueblos, villas, farms, and ranches of Spaniards and Indians now composing the *custodia* of the conversion of San Pablo of New Mexico, which were founded by the efforts of the father missionary preachers and still remain.

PUEBLOS OF SPANIARDS

Santa Fé

The capital villa of Santa Fé was reëstablished in the year 1682 by the religious and the governor. It is more than six hundred leagues from this court of Mexico, the distance for which his Majesty pays the couriers. It lies toward the north, and is situated on a slope of high land, from which

risers a crystalline river full of trout, which, although small, are very savory and as good as those of our Spain. This river has its origin in a lake that lies on the summit, or crown, of this land, and its course runs through the said villa, which is located in 37 degrees. It has the same climate as our Spain (that is, in New Castile) and rains at the same times; the spring is mild, and the summer extremely hot, so much so that cotton is sown and gathered the same as in tropical lands; it produces in abundance savory melons, watermelons, cucumbers, and all the fruits of the trees of Spain; the autumn is cold and the winter severe with cold, droughts, and snow. It has now about one hundred and twenty-seven Spanish families, among whom its holy title of Santa Fé is preserved and augmented. It has but few Indians because they do not like to live with the Spaniards. The holy sacraments are administered by two fathers religious who assist at the convent and mission that are situated in the said villa. In it live the governor and soldiers of the presidio, who are distributed through the whole kingdom among the inhabitants to defend and safeguard the frontiers.

Villa of Santa Cruz de la Cañada

This town, which is eight leagues west of the capital, has something more than one hundred families of Spaniards, who occupy themselves in raising wheat and some flocks of sheep which they keep on small ranches. One father ministers to them, and he is now building a sumptuous church by order of my prelates, without its costing his Majesty half a *real* for its material or building. The same thing is being done in many of the other missions, as will be stated in its place.

Ranches included in these Villas

The Rancho de Chama y Río del Oso, which has about seventeen families, lies ten leagues to the west of the capital. The families are ministered to by the father who lives at the mission of San Ildefonso. He also ministers to the place called Santa Rosa Abiquí, which has twenty families of Spaniards and lies in the same direction and at the same distance.

The place and ranch of Ojo Caliente, which has forty-six families of Spaniards and some Indians, lies toward the north. It is fifteen leagues from the capital, in a very rough mountain range, where grow certain pine-nuts [*piñones*] called in this court of Mexico sweet acorns of Cambray, very large acorns of the oak, and nuts of Castile, having a shell that is extremely thin; these they also call Cambray nuts. These families occupy themselves in agriculture and in raising sheep, and are ministered to by the father of the mission of Taos, which is six leagues away.

The hacienda and ranches of Nuestra Señora de la Soledad, on the upper Río del Norte, lie twelve leagues from the capital toward the north-west and contain forty families of Spaniards. They are employed in agriculture and in raising cattle and sheep, and are ministered to by the father of the mission of San Juan de los Caballeros, which is seven leagues distant.

The Rancho del Embudo has in its district about eight families of Spaniards, and is situated on the river called Pecuries, sixteen leagues from the capital, toward the north. The best trout to be found in the whole kingdom are caught in this river. It is called Embudo [funnel], because when one comes from Taos, which is the last mission in the north, where the Christian population stops, one comes over a craggy mountain, and the entrance to the said place is through a narrow pass formed by two ranges, by way of which the heathen Indians usually make their murderous incursions. The whole place is full of crosses, which I saw, and I prayed for those dead. The said pass is so narrow that four Indians can defend it against four thousand. The father missionary of Pecuries ministers to these families, who employ themselves in planting and fishing for trout and eels.

The ranches of Taos, four in number, are situated in a beautiful spacious plain, which is crossed from south to north by the Río Grande del Norte. In a craggy mountain range rise three rivers, which run from east to west and at a distance of three leagues unite in the said plain; one league farther on they come to an end, having precipitated their waters into the current of the Río del Norte. These ranches have ten Spanish families, who live thirty leagues from the capital and are employed in planting and cattle raising. They are administered by the father of the mission of Taos, five leagues away.

The ranches of Las Bocas are sixteen leagues distant from the capital, to the south, and are situated on the banks of the Río Grande del Norte. They have ten families of Spaniards who engage in agriculture, and are administered by the father of the mission of Señora Santa Ana.

The ranches of La Alameda are twenty-two leagues to the south of the capital on the bank of the Río Grande. They have eight families of Spaniards who are employed in agriculture. They are called La Alameda because the four leagues of plain in which they are situated is entirely covered with poplars. They are administered by the father of the mission of Albuquerque, which is three leagues away.

The Villa of Albuquerque and Village of Atrisco

Both together have something more than a hundred families, who are employed in planting and weaving hose and blankets. They are twenty-four leagues from the capital, to the south, on the banks of the Río Grande, and are administered by a father who lives in the convent of the said town.

A settlement in this region where several families were gathered seven years ago and which was named Nuestra Señora de la Concepción, three years later being re-named Gracia Real, or Cañada, is thirty leagues to the south of the capital. This foundation is in a beautiful and fertile plain that may be entirely watered by the river. It has about fifty families of Spaniards, who are occupied in planting and are ministered to by the father of the mission of San Agustín de la Isleta. It is called Gracia Real because it was developed in the time of this señor viceroy;²⁴⁷ and later

²⁴⁷ Bolton (*Guide*, p. 470) lists Pedro Castro Figueroa y Salazar, Duque de la Conquista, Marqués de la Gracia Real, as viceroy of New Spain from 1740 to 1741.

they called it Cañada because in the year 1740 ten Frenchmen entered the kingdom by way of the mission of Taos.²⁴⁸ Because of having traveled on foot in thirty days, with an Indian as guide, from Cañada, a pueblo of New France, to the kingdom of New Mexico, where they settled in this place, they called it Cañada. Eight of the said Frenchmen returned in the same way that they came, but two remained in the kingdom. One practiced his trade as a barber or surgeon, and the other, his companion, for his grace and merit in having instigated the Indians to a new uprising, was ordered by the governor of the kingdom, Don Gasper Domingo de Mendosa, to be hanged, which will serve as a warning.

NEW SETTLEMENT OF THE GENISAROS INDIANS

This is a new settlement, composed of various nations, who are kept in peace, union, and charity by the special providence of God and the efforts of the missionaries, for experience has shown us that some nations are constantly hostile to others and cannot endure the sight of one another, and perhaps this enmity is a providence of God to prevent them from destroying the few Spaniards and uniting to annihilate the missionary ministers and the Spaniards. This settlement is an exception, for the Indians are of the various nations that have been taken captive by the Comanche Apaches, a nation so bellicose and so brave that it dominates all those of the interior country, penetrating into it more than a thousand leagues. In the course of the year they travel more than a thousand leagues from New Mexico, according to what I was told by an Indian who was among those that came to the sale and ransom of the captives in the year 1731, for the purpose of ransoming a little four year old Indian girl, who was very white and as beautiful as though she had been a Flemish child. I asked him to what nation he belonged and how far it was from there to his country, and, counting the days, or suns, he counted up to one hundred and ten, which, at the rate of ten leagues for each sun, amount to one thousand and one hundred leagues. He said he belonged to the Ponnas [Pawnee?] nation.

They sell people of all these nations to the Spaniards of the kingdom, by whom they are held in servitude, the adults being instructed by the fathers and the children baptized. It sometimes happens that the Indians are not well treated in this servitude, no thought being given to the hardships of their captivity, and still less to the fact that they are neophytes, and should be cared for and treated with kindness. For this reason many desert and become apostates. Distressed by this, the missionaries informed the governor of it, so that, in a matter of such great importance, he might take the proper measures. Believing the petition to be justified, and carried away by the zeal of his guardianship, in deference to both Majesties he ordered by proclamation throughout the kingdom that all the Indian men and women neophytes who received ill-treatment from their masters should report it to him, so that if the case were proved, he might take the necessary measures. In fact a number did apply to him, and he

²⁴⁸ Reference most likely is to the Mallet expedition. See note 233, *supra*.

assigned to them for their residence and settlement, in the name of his Majesty, a place called Valencia and Cerro de Tomé, thirty leagues distant from the capital to the south, in a beautiful plain bathed by the Río [del] Norte. There are congregated more than forty families in a great union, as if they were all of the same nation, all owing to the zeal of the father missionary of Isleta, which is a little more than two leagues from there, to the north. This settlement dates from the year 1740. The people engage in agriculture and are under obligation to go out and explore the country in pursuit of the enemy, which they are doing with great bravery and zeal in their obedience, and under the direction of the said father they are erecting their church without any cost to the royal crown.

SETTLEMENTS OF THE INDIANS AND THEIR MISSIONS

The state in which they have been since the uprising, and their new settlement and reduction by the efforts of the father missionaries, by whom they are preserved.

[Tesuque]

The Indian mission of Tesuque was restored and is now settled with fifty families. It is three leagues distant from the capital to the north. It is administered by the fathers of the villa [of Santa Fé], as also are the pueblo and ranch of Pujuaque, which is composed of thirty families and lies in the same direction, four leagues from the capital. The Indians are being instructed.

Nambé

The mission of Nambé, with two villages, which is six leagues to the north of the capital, was restored and fifty families are now living there. It is administered by a father who is stationed at the said mission. The Indians are being instructed.

San Ildefonso

The missions of San Ildefonso and Santa Clara are ten leagues to the northwest of the capital. There are now more than one hundred families living in the two missions, which are twelve leagues apart. They are administered by a father who lives at the convent of San Ildefonso, and he is instructing them.

San Juan de los Caballeros

This mission, which was restored and now has sixty families, lies ten leagues from the capital, to the north. It is administered by a father who lives in the convent of the said mission and who is instructing them. These Indians are called "Caballeros" because they assisted the fathers in the spiritual conquest in the year of their re-conquest.

Pecuries

The mission and ranches of Pecuries, [inhabited by] heathen Indians, were restored, and they are being instructed by a father who lives in the said mission. It has eighty families and is twenty-two leagues to the north of the capital. It is situated between two crystalline rivers which rise in a rough mountain; in them are found the best trout in the kingdom, which can compete with the most savory ones to be found in Spain. This pueblo, at the time of its first founding and before the uprising of the year 1680, had a large number of very brave and warlike Indians.

Taos

The mission of Taos, the last one to the north, where the Christian population stops, is thirty leagues from the capital [Santa Fé] and seven hundred from this of Mexico. I, the deponent, went as far as this place, which I visited at the cost of great hardships. This pueblo, which has one hundred and seventy families, is very pleasant, being situated at the foot of a craggy mountain from which rise three rivers that water a delightful valley. At a distance of three leagues all three rivers unite and a league farther on come to an end in the Río Grande del Norte.

Two fathers live in this pueblo for the administration of the holy sacraments, and for the political government there is an *alcalde mayor* appointed by the governor of the said kingdom. It is the most populous of the settlements in the re-conquest and is the entrance for the unconverted Indians when they come to ransom the captives that are brought to be sold.

At a distance of five leagues to the north there is a nation called Xicarillas. When the reverend father custodian, José Ortíz de Velasco, founded a mission for them in the year 1733 and began to assemble and instruct them, the governor who was in office at that time, instead of treating them kindly and joining with the said father in a work so pleasing to God, for unknown reasons ordered the soldiers of the presidio to put them out, and they have feared to return, although some of them come to seek the fathers at the said mission and the rest would do it if affairs were directed with kindness and Christian zeal.

Pecos

This mission is eight leagues to the east of the capital. It has one hundred and twenty-five families, and is on the frontier of the enemy, some of whom occasionally come in friendship and are instructed by the fathers. It has a beautiful and capacious church and convent where two religious live for the administration of the holy sacraments. This building was erected by the industry and efforts of the father of the mission, without having caused his Majesty the expense of half a *real*. A river flows through the settlement, and on its banks there are plum trees of the kind called in Spain "yolk of egg," whose fruit is very savory and pleasant to the taste.

Galisteo

This pueblo or mission is eight leagues distant from the capital to the southeast. It has fifty families, which, along with several ranches, are administered by a father who lives at the said mission. It has a hill of stones that are excellent for grindstones and are used by the Indians [for that purpose].

Santo Domingo

The mission of Santo Domingo is twelve leagues to the south of the capital. It has about forty families of Indians and some ranches. It is on the bank of the Río del Norte, and is administered by a father who lives at the convent of the said mission and instructs the heathen.

Cochiti

It is eight leagues distant from the capital to the southwest. It has more than eighty families of Indians and some ranches. It is situated on the bank of the Río del Norte on a beautiful plain, where small *contrayerbas*²⁴⁹ of the very best kind are gathered. It is administered by a father who lives in this mission and instructs the heathen.

San Felipe

The mission of San Felipe is fifteen leagues to the south of the capital. It is composed of more than sixty families and some ranches, whose people are ministered to and instructed by a father who lives there. Prior to the uprising of the year 1680 it was situated on the summit of a hill; but now it is on the bank of the Río del Norte on account of a better climate and greater convenience. This convent, at the time of its erection, was the general hospital of the *custodia*, where the missionary religious and other persons were treated when they were ill.

Santa Ana

The mission of Santa Ana is composed of more than fifty families of Indians, and is eighteen leagues to the west of the capital. It is situated on a small sandy river, which they call Bernalillo, and is administered by a father who is usually engaged in instructing some of the Indians of the Navajo nation.

Zia

The mission of Zia is twenty leagues to the west of the capital. It has more than eighty families, and is situated on a hill at the edge of a small river. It has two ranches, in one of which lives a woman called La Galvana, who was captured when a child by the Indians of the Navajo nation. After the Indians had held her, and the ranches, in their power for sixteen

²⁴⁹ *Contrayerba*, a South American medicinal plant.

years, she was ransomed by the Spaniards; and as they had kept her for so long the Indians of the said nation made friendly visits to her, and in this way the father of the said mission has been able to instruct some of them.

Xemes

The mission of the Xemes is about twenty leagues to the northwest of the capital. It has about one hundred families. It is situated between some hills in a plain about a league broad, which is crossed by a river moderately supplied with water. There are two ranches on the mountain. It is administered by a father who instructs the heathen Indians who often make friendly visits.

Laguna

The mission of La Laguna is a little more than thirty leagues distant from the capital, to the west. It has about sixty families and is situated on the shore of a lake. It has three ranches, at which one father administers and instructs.

Ácoma

The mission of Ácoma is thirty-four leagues to the west of the capital. It has one hundred and ten families. It is situated on a high rock, in which they have constructed two cisterns for water, dug out with the pick. A father lives with them and ministers to them and devotes himself to instructing the Indians who come in friendship to this mission.

Zuñi

The mission of Zuñi is about eighty leagues to the west of the capital. It has about one hundred and fifty families, and is the last center of Christian population in this direction. It is administered by two fathers, for because of the distance and the danger that they are in from hostiles the said two fathers are needed for the consolation of the Indians.

The pueblos of apostates of the celebrated and much-desired province of Moqui I will describe in its place.

San Agustín de la Isleta

The mission of San Agustín de la Isleta is thirty leagues to the south of the capital. It is composed of eighty families and has some ranches which are administered by a father who also administers the new foundation of Genizaros. At this mission some Indians of the apostate nation of Moqui live with Father Fray Carlos Delgado. With them the said father and his companion, Fray Pedro Ignacio de Pino, entered the said province apostolically in the month of September of the year 1742, and reduced to the pale of our holy mother church four hundred and forty-one Indian men and women, whom he brought and divided among the missions to be

instructed, according to the orders of his Excellency, the señor viceroy. Because they had thus capitulated of their own accord, pueblos were assigned to them in those deserts, but when I, the father deponent, represented this to the said most excellent señor, his Excellency did not approve of it. I therefore gave orders to the said fathers to continue their work and to bring them out with all consideration and kind treatment, for these Indians are of a serious temperament, and whatever is undertaken with regard to them must be carried out.

Nuestra Señora de Guadalupe del Paso

The mission of Nuestra Señora de Guadalupe del Paso is one hundred and fifty leagues to the south of the capital. It has forty families of Indians and about one hundred and eighty of Spaniards, who are administered by three fathers. It is garrisoned by a royal presidio of forty soldiers under the command of Captain Don Alonso Vicores Rubín de Celis, who is very zealous in the royal service, and one of the fathers has the appointment as royal chaplain, for he frequently goes out on campaigns. This mission is situated half a league from the Río del Norte, and three quarters of a league away ditches have been constructed for irrigating wheat and grapevines, which yield abundantly and produce fruit of good flavor and a rich wine in no way inferior to that of our Spain.

San Lorenzo

The mission of San Lorenzo is one hundred and sixty leagues to the south of the capital. It has fifty families of Zuma Indians who are administered by one father. Although there were living at this mission at the time of the uprising in the year 1680 both Spaniards and Indians, no [Spaniards] remained, and those that are there now, numbering twelve, have been gathered by the urgings of the fathers. The Indians are being instructed.

San Antonio Zenecú

The mission of San Antonio Zenecú is one hundred and sixty-two leagues to the south of the capital. It has about seventy families, and is situated about half a league from the Río del Norte. It is administered by a father who has five Spanish companions, and instruction is being given.

San Antonio de la Isleta

The mission of San Antonio de la Isleta is one hundred and sixty leagues to the south [of Santa Fé]; it has ninety families, and is situated one league from the Río del Norte. Its mission is administered by a father who is building by his own efforts a very capacious church, which I do not doubt his faithful industry will bring to a conclusion.

Nuestra Señora del Socorro

The mission of Nuestra Señora del Socorro lies one hundred and sixty-six leagues to the south of the capital. It has sixty families of Indians and about six of Spaniards, and is situated about half a league from the Río del Norte. It is administered by one father.

Nuestra Señora de las Calvas

The mission of Nuestra Señora de las Calvas is one hundred and seventy leagues to the south of the capital, about half a league from the Río del Norte. Some sixty families of wandering Indians are attached to it and it has an hacienda called El Capitán. It has lost a great many cattle, according to what I learned the year that I went to the said kingdom, and as I have recently been informed by those who have come to this capital of Mexico. The Indians are ministered to by a father who lives at the said mission.

HACIENDA DE LA RANCHERÍA

The hacienda called La Ranchería, founded by Alonso Victores Rubín de Celis, present captain of the royal presidio of El Paso, is about one hundred and sixty leagues distant from the capital, to the south. It has twenty families of Spaniards and some Indians, who occupy themselves in planting wheat and corn and in guarding the cattle that they raise. They are administered by a father from the mission of El Paso, which is seven leagues away.

OJO CALIENTE AND CARRISAL

The ranches named Ojo Caliente and Carrisal de Peña lie two hundred leagues to the south of the capital. In all they have about twenty families of Spaniards and Indians, who are occupied in planting wheat and corn and in raising flocks of sheep. They are administered by the father missionary of El Paso, which is forty leagues away.

[LA JUNTA DE LOS RÍOS]

The missions of La Junta de los Ríos are about three hundred leagues to the east [south?] of the capital villa of Santa Fé. In the year 1716, by order of the most excellent señor, the Duke of Linares,²⁵⁰ six religious were sent for their administration by petition of the Indians who had kept the faith since the last hostile attack. For the better understanding of their origin I will describe them. These missions had their beginning in the year 1670, when two religious came down apostolically from the kingdom of New Mexico. When they arrived at this place of La Junta de los Ríos they found a great number of heathen Indians, among whom they remained, preaching the holy gospel to many of them, for two years.

²⁵⁰ Bolton (*Guide*, p. 470) lists Fernando de Alencastre Noroña y Silva, Duque de Linares, Marqués de Valdefuentes, as viceroy of New Spain from 1711 to 1716.

A dispute having arisen among the Indians as to whether they should or should not embrace the faith, the greater number determined to drive the apostolic fathers from the country, stripped of their habits and other clothing, without food for the journey, and without any one to accompany them as escort. They took the road to El Parral (for the Real of Chihuahua and other settlements that are in existence to-day had not yet been founded) where rumors of the disturbances among the Indians and news of what had happened to the said reverend fathers had already been reported. The governor decided to lead a force to La Junta, which is about one hundred and twenty leagues from El Parral; and on the way they met the fathers, now in an almost dying condition from cold and hunger. As soon as the governor and Spaniards learned of their inhuman treatment they gave them clothing, and, much cheered, they returned to their missions in New Mexico.

On account of the disagreement among the Indians some of those who had been baptized left and went to the valley of San Bartolomé, while others remained under cover in the said place of the La Junta among the said heathen, until the year 1741 [1714?], when the villa of Chihuahua added so greatly to the [Christian] population that they lost their fear of the barbarians and appealed of their own free will to the said most excellent señor viceroy for the missionary fathers. As a result the six religious to whom I have already referred were sent in the year 1716, and they went among the said Indians, who are very clever and politic, those of the Cumana and Zibolo nations being especially well disposed. In this way were founded the missions of Nuestro Señor la Redonda del Collamé, of Nuestro Señor Padre San Francisco, of San Pedro del Cuchillo Parado, of San Juan, and those of San Cristóval and Nuestra Señora de Guadalupe. Their first missionaries were the reverend fathers Fray Francisco Lipiani, Fray Andrés Varo, Fray Luis Martínez [Clemente], Fray Gregorio Osorio, Fray Raymundo Graz, and Fray Antonio Aparicio, whom the viceroy provided with the necessary supply of cows, sheep, and tools for the cultivation of the land. Two years passed with great spiritual and temporal increase. The supervision of the building of the churches was given by the fathers to the Indian governor, who was one of those that left and went to the valley of San Bartolomé. He was named Francisco, and was the one for whom the reverend father custodian, finding him at the point of death, recently called Reverend Father Lipiani, in order to confess him. He made his confession with the greatest scrupulosity, and on the following day asked for the sacraments of the viaticum and extreme unction; and, taking an image of the holy Christ in his hand, he called his wife and children and exhorted them, saying that the law of God preached by the fathers was the true one, and that they should not believe in the fables [of the Indians], which were all lies, and that there was but one God, the creator of the universe, and that they ought to serve him and keep his holy commands. Having said this, he continued to give expression to these words and acts of the love of God, saying "I believe in God, I love God, I have faith that God will save me, God's will must be done in all," until he died, to the great edification of all those present,

who had been moved to tears by his behavior. To this one, then, with his *fiscales*, was entrusted the care and breeding of the cattle for the maintenance of the missions. When the latter suffered from a shortage of cattle, it was found that they had been feeding on the other side of the Conchos River among the heathen Indians, where the fathers could not pass or enter. When the said governor made demands upon these Indians for the missing cattle, they conspired, both men and women, to kill the fathers, the governor, and the *fiscales* at midnight, from which attack the latter were saved by receiving previous notice of it. Thereupon they resolved to take flight, and had traveled three leagues when thirty Indians armed with bows and arrows came out upon them in a narrow pass, but God prevented them from seeing the fathers, who were traveling with the governor, as the barbarians afterwards admitted.

They traveled at a gallop, in great fear, reaching the mission of Nuestra Señora de Collamé at daybreak, where they were received by its missionary, who had already had news of the event. He cheered and sent them to Chihuahua, where they were received by the governor of that town and its inhabitants with much charity and kindness, all being very happy at seeing them delivered from that peril, for they had been given up as dead, news having come that the Indians of La Junta had revolted with that intent. As a result of this affair one of the fathers came to this court, and after informing the most excellent Marquis of Valero,²⁵¹ who was at that time viceroy of this kingdom, with regard to the attacks of the Indians, he declared that they might be brought under such subjection by the establishment and foundation of a presidio in that region. He said that it could be done without cost to the *real hacienda* by taking five soldiers each from those stationed at the places of El Gallo, Cerro Gordo, Campaña, and Mapimi, which would form a company of soldiers large enough to restrain the barbarians from their outrages in the whole of Nueva Viscaya. He said also that there were a number of families in Chihuahua who, if this should be done, would be encouraged to go on and settle at La Junta, which they could not now bring themselves to do for fear of the barbarians. His Excellency having heard this, he replied that as soon as his Majesty's order authorizing such a step should arrive by the fleet, he would adopt the measures necessary for establishing the presidio. However, because of a change of government and new policies that were adopted, it was not done, notwithstanding the statement presented by the said father of the progress that would result in the winning of souls for God and in the settlement of the families who would enjoy the advantages offered by that country. It has rich minerals which the French were seeking by way of Mobile and other regions into which they were penetrating—a matter which needs careful investigation. For agriculture it is the best and most fertile land among all those that have been discovered, for in one year they gather two crops of rich wheat that they call "seven ears," the seven ears growing on one stalk which comes from

²⁵¹ Bolton (*Guide*, p. 470) lists Baltazar de Zúñiga, Guzmán Sotomayor y Mendoza, Marqués de Valero, Duque de Arión, as viceroy of New Spain from 1716 to 1722.

one seed, without branches. Maize, broad beans, vetch, pumpkins and all crops that are grown in cold countries are produced in great abundance.

Notwithstanding the peril that threatened the fathers from the audacity of the barbarians, they again entered with the message of the gospel, like lambs among wolves, where they remained until the uprising of the year 1725. Two youths who assisted Fathers Fray Andrés Varo and Fray Antonio Aparicio having been killed, the Indians resolved to dance around the heads of the two fathers, and in fact had them bound up for this cruel death when by the mercy of God the other missionary fathers of the outside missions received news of it and informed the governor of Chihuahua, who set out in utmost haste with citizens and soldiers. When they arrived they found the innocent lambs tied and ready to die, after confessing each other, a truce for this purpose having been granted by the evil doers, most of whom were apostates, who, when they saw the people coming, retreated to the woods. The Spaniards took the religious to Chihuahua, where they were received by the governor and clergy with the *Te Deum Laudamus*.

In the said villa the holy sacraments were administered by some of the missionaries [to some Indians] who came to it after the said rebellion [of 1725] in search of the fathers and Indians of their nation, and they urged each one to return, but that first, as it was the third foundation, they should make proper arrangements for the entrance. When I, the father deponent, entered as *visitador general* by order of my superior prelate in the past year of 1731, as soon as I arrived at Chihuahua the Indian generals, governors, alcaldes, and *fiscales* of the missions of La Junta appeared before me and asked me to give an order to the fathers to go with them to those missions; and that in view of the just reasons represented I should give an order by a legal *auto* that it should be so done, assigning two religious for the purpose; and that in the meantime the governor of Chihuahua should enter with the two fathers, as he had offered to the fathers and the Indians to do.

In view of the fact that, although the governor was favorably inclined, he had not taken this step in the long period of time that had elapsed, to the notable detriment of all concerned, I appealed to him in a document that I presented to him, requesting that he would not prevent the religious whom I should send from going alone with the Indians who were asking for them. When six months had passed and on my return to the said villa from New Mexico I found that the said governor still had not made the *entrada*, I resolved that it should be made by the other fathers who were waiting to do so and have been staying and are now staying at the said missions, maintaining and developing them. Proof of this is seen in Reverend Father Francisco Bravo Larchundia's having founded three pueblos of Indians, whom he instructed and reduced, as appears from the certification made at my request by the governor of Chihuahua, in conformity with the information that was given.

This is the present state of the missions of La Junta de los Ríos, and until the measure be adopted that I asked for at that time, namely, until a presidio shall be founded and established to guard them, which may be

done without expense to his Majesty, the barbarians will not be impelled through fear to cease their effrontery, nor will the settlements be augmented with the families who would enter to settle there if this provision were made, for the place is a passage and exit for many nations of Zíbolos and Apaches. [With the coming of settlers], rich mines would be worked, resulting in great increase of the royal income; depopulated lands would be cultivated, and above all, many souls won to God, to the truth of which I offer my testimony.

[MOQUI]

In the apostate nation of Moqui there are several abandoned missions, and since the year 1680, when they revolted, missionaries of my charge have been entering. Over a period of more than forty years there have entered successively the religious fathers Fray Francisco Yrasaval, Fray Antonio Miranda, Fray Antonio Camargo, and Fray Francisco Bravo Larchundi. In the year 1742 they succeeded, as I have already related, in reducing four hundred and forty-one [Indians], as appears from the certification which I have presented in an *auto* concerning the fact that my missionaries have jurisdiction over the said province, and that when they decided to enter in the year 1743 they were prevented by the governor of that kingdom for a reason unknown, as appears from a certification requested by the custodian of the said missions. The religious had intended to penetrate as far as the Sierra Azul. This report was sent to me by Father Fray Carlos Delgado, and is literally as follows:

REPORT ON THE SIERRA AZUL

Reverend Father Fray Juan Miguel Menchero: This sierra is called "Azul" because the land, rocks, and the whole thing, in fact, is blue with green, red, yellow, and purple veins. It runs from south to north, where it terminates in a flat barren summit, on top of which is a stone two varas long and a vara and half wide that is transparent and has the same luster as gold. There is a tradition that this sierra is the richest in all New Spain, and this is corroborated by the circumstance that when the French entered this kingdom four years ago²⁵² the first thing that they did was to ask for the Sierra Azul. Besides this, in my time Father Campos and Father Kino of the Company of Jesus entered by way of Sonora, and the Lord permitted that they should penetrate thirty leagues into the province of Moqui and the Sierra Azul, but when the said reverend father preachers attempted to ford and cross a large river they could not, and in consequence were forced to return to Sonora.²⁵³ It seems, our father, as if His Most Holy Majesty has set this land apart with difficulties that are an added incentive for the cloth to tread its soil. Is it not a sufficient proof

²⁵² Reference is probably to the Mallet expedition. See *supra*, note 233.

²⁵³ In an authoritative sketch of Father Eusebio Francisco Kino, the "Apostle to the Pimas", who lived south of the Gila River, H. E. Bolton (*The Padre on Horseback*, San Francisco, 1932, p. 58) says that six of the fourteen expeditions across the present international boundary into present Arizona which Father Kino made between 1687 and 1711 carried him to the Gila over five different routes.

that 441 souls have now been drawn from it into the pale of our holy mother church? They will indeed open their eyes and understanding and learn that the work is that of the Lord. The Sierra Azul is four days travel from the province of Moqui, and the road is rough and has little water.

The nation inhabiting the Sierra Azul is called the Comina Apaches, and they are a people of remarkable character. It is a very large nation, with people as numerous as ants. On this second visit that I made I informed them that I would enter their land this year, and they consented. They did not flee from the priestly robe, but, on the contrary, approached the fathers. His [Divine] Majesty will make such dispositions as may accord with His most holy will.

Isleta etc. This is the account given by four Moqui Indians whom I have with me in this pueblo and who have crossed the said sierra. Fray CARLOS DELGADO.

All of the above statement I declare *in verbo sacerdotis* to be the truth, and I certify to it to the fullest extent in my power, which the law permits me to do as approved royal apostolic notary. In order that it may be made manifest wherever necessary, I issue the present writing in this hospice of Santa Bárbara of the missions of New Mexico, on the tenth day of the month of May, 1744, and I signed it. Fray MIGUEL MENCHERO, *procurador* and apostolic notary.

Be it known to all those who may see this present public instrument that the reverend father *procurador general* emeritus, Fray Carlos Delgado, commissary of the Holy Office of the Inquisition, appeared before me, Captain José Baca, in order that, as *alcalde mayor*, which I am, of the villa of San Felipe de Albuquerque, of the pueblo of La Isleta, and of the other districts, I might give him a certified copy of a letter of thanks which the señor governor, Don Joaquín Collados [Codallos], wrote to him—the entire letter and not a fragment.

Very Reverend Father Fray Carlos Delgado. My dear Sir: It is with inexpressible pleasure that I shall corroborate the letter of your reverence of the 17th instant, in so far as it treats of the abundant fruits that your apostolic seed has yielded to both Majesties, and I believe that the fervent zeal of your evangelical work is worthy of the highest reward that can be provided by the feeble generosity of this earth. I congratulate myself that it is in the time of my governorship that so clear and effective a call has been sounded that, judging by the ease and pleasure with which [the people] have listened to it and have been captivated by its sweet and powerful sounds in homage to the faith, it promises to diffuse its sound throughout the whole world and the entire circumference of the land. May heaven grant that the inconstant heathen shall not frustate these noble efforts in a region so wonderful in all respects. May God keep your reverence for many years. At this palace, May 18, 1744. JOAQUÍN CODALLOS Y RAVÁL.^{253a}

^{253a} According to Bloom ("The Governors of New Mexico," *loc. cit.*, p. 155) Don Joaquín Codallos y Rabál was governor of New Mexico from 1743 to 1749.

It agrees with the original, of which I, the said alcalde, caused a literal copy to be made. It is true and accurate and correctly verified, the witnesses to its correction and verification being Captain Antonio de Baca and Don Gerónimo Ceballos, citizens of this jurisdiction. In the year 1744; and I signed it with the assisting witnesses, because of the well known lack of a royal public clerk, there being none in this kingdom of New Mexico. YSIDRO SÁNCHEZ VANARES, assisting witness. BERNARDO VALLEJO, assisting witness. In testimony of the truth I make my signature: JOSÉ VACA, *juez receptor*.

*Letter of Father Fray José Trigo.²⁵⁴ [San Diego de los Jémez,
June 21, 1744]*

Very Reverend Father and our Commissary General, Fray Pedro Navarrete. Beloved Father and dear Sir: I must bring to your reverence's attention the fact that the reverend father preacher general emeritus, Fray Carlos José Delgado, who is now engaged in the conversions of Moqui and Navajo and many other nations of heathen who surround this kingdom of New Mexico, chose me for his companion in the said enterprises and that I in fact went with his reverence to the province of Navajo, where more than five thousand souls were converted. I do not give a detailed report of this because the said father must have already given it to your reverence, but I do beg that you will confirm the said choice as companion of the said father, and I expect, with a master of such elevated spirit, to come out well fitted for winning souls for our God and Lord. Our most reverend father, I came away from the province of Navajo confounded at witnessing the ease with which the said reverend father wins souls, and I can only think that the Divine Majesty, for a purpose so high, permits the heathen, at the mere sight of his apostolic and religious character, to yield with indescribable impetuosity to the yoke of our holy Catholic faith. I only regret being so far from the said reverend father, and I therefore beg your reverence, in order that I may have the happiness of conferring with him on matters of conversions and be able to attend to his orders quickly, to assign me as missionary of the villa of Albuquerque, which is five leagues distant from San Miguel de la Isleta, where the said reverend father lives. The said father has to go soon to the province of Moqui and is taking me with him. I am impatient for the time to come, for although many hardships of hunger, thirst, and nakedness are to be endured, such good companionship sweetens the affliction, and with regard to what God wrought in the entrance into Navajo, it is wonderful that he should only say to your reverence that infinite thanks should be given to God our Lord.

He is worthy, our most reverend father, of the most honorable regard that your reverence can give him, not because he covets it, for he finds content only amid abuse and hardships, which seems to him to be very little; and he has said to me that he feels that in the conversions he has no merit because he has no troubles, but only delights. I hope that the

²⁵⁴ A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 701-704).

benignity of your reverence will grant me the pleasure of being near the said reverend father, and in the Divine Majesty etc. San Diego de los Jémez. June 21, 1744.

*Another letter from Reverend Father Fray Carlos Delgado [to the Commissary General, Fray Juan Fogueras. Isleta, November 15, 1745]*²⁵⁵

Reverend Father Commissary General, Fray Juan Fogueras: By the letter which I received from your reverence, dated April 30, I see the vigorous effort that you make to animate my spirit, as a valiant soldier of our beloved Jesus, for the entrances into the conversions of barbarous heathen. Regardless of this, by reason of the obligation that I profess, and my ardent zeal for the conversion of souls, urged on by my hope of winning them for our God and Lord, I went on September 16 of this year of 1745, to the extensive provinces of Moqui. The rougher the roads, the more forsaken the paths, and the greater the hardships on the way (and its roads afford many), the more I was in my glory. I arrived at the said province with Father Fray José Yrigoyen and Fray Juan José Toledo, my beloved companions, on the 29th day of [September?] of the said year. We were well received there, and we preached the word of the holy gospel to the natives with great fervor, being exposed at all times to losing our lives for our Beloved. We made them understand that they should abhor vices and the false gods with which the devil deceives them. It was the will of our Lord that we should gain, in reward for our labor, the happiness of hearing them say that, with our words impressed on their hearts, they would inform us [when we might come], giving their consent for us to enter to administer the salutary waters of holy baptism. With this understanding and feeling safe in the midst of those barbarous heathen, we went on to examine their pueblos, which are situated within a space of six leagues, apart from each other. There are six of them, and I can assure your reverence (since I saw it, and the count was made by me and my companions) that there are 10, 846 persons among them, including young and old. In order not to be tiresome, I will say no more, except that they live under a good system of government, have enough to eat of the food to which they are accustomed, and inhabit rugged, rocky heights, with very rough and impassable ascents.

Our reverend father, there is no doubt that, with the aid of our beloved Lord, we might have brought [the Indians] out if we had taken along enough soldiers to conduct them, but the fact that we took only those that were necessary to escort us and assure our safety on the road, and for no other purpose, made it impracticable to conduct the people. If a large force should go it would serve both purposes.

I will also say, with regard to what your reverence tells me about the entrance of another persistent Order²⁵⁶ here and there, that I heard

²⁵⁵ A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 786-792).

²⁵⁶ The Jesuits.

among the heathen the news that in the year 1743 they undertook to enter, but missed the road that led straight to that province, and, taking another path, fell into the hands of another nation, whence they came routed and with some of their escort killed, and without horses on which to return.

This is proof, our reverend father, that our beloved Jesus does not desire that a work which our Order has cultivated for so many years shall be destroyed by this means or that we shall lose our labor, even though it is all directed towards the same end. For the same reason his Divine Majesty gives me strength (in the midst of my weary old age) to enter the said province frequently, and, in order not to arouse jealousy, I also entered that of Navajo. I beg your reverence to intercede personally with the most excellent señor viceroy (granting that success is to be won by taking soldiers) to give me some of them, his Excellency to send an express order to the governor of this kingdom. If it be so done there is no doubt we can promise ourselves notable results, and we shall secure our redemption, for which our Beloved came to this world. I pray that He will prosper your reverence's health, with great increase in His love, so that you may encourage your ministers, the individuals who are laboring in such high mysteries.

Mission of San Agustín de la Isleta, in the kingdom of New Mexico, November 15, 1745.

*Information which I, Fray Carlos Delgado, give your Reverence of El Gran Teguayo, which is between west and north. It is distant two hundred leagues, more or less, from this custodia. [1745?]*²⁵⁷

On this entrance that I made to Navajoo, I heard some of the natives tell how this Teguayo, so renowned, is made up of various nations, for in it are found people from all of them, both civilized, from among those whom we are governing, as well as others, who are heathen. One division, or city, is so large that, after their manner of expressing themselves, they say that one cannot walk around it within eight days. In it lives a king of much dignity and ostentation, who, as they say, neither looks nor speaks to anyone, except very briefly, such is his severity. He rules all the nations in those regions, and I am sure that they desire to be acquainted with our holy habit, for they say that in former times a religious went there and contracted a fatal illness. After his death they kept him in a box, which they give one to understand is of silver. The said religious merited this honor because of his having catechized the king. All his successors regard as relics a shrine of gold, and the articles used in saying mass, as well as other things that he used. This same assurance, which accords with my zeal, moves me to enter there in the coming year, I giving on my part my labor, and God, our Lord, his aid among them, and in me the words that will have effect in their conversion. And if it should not

²⁵⁷ A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 792-795). A fragment of the above-translated report is translated in C. W. Hackett, *Pichardo's Treatise on the Limits of Louisiana and Texas* (Austin, 1934), II: 501.

be as they have told me, little will be lost; but the proof that it is true is that there is a convent halfway there similar to those that we have in this *custodia*, so modern and so new that it seems as though it had just been finished. This secret was told me by an Indian, and I have verified the truth of it by previous information I have had from others. Your reverence may look upon this that I have said as upon something that has been proved, since it seems as though the prophecies are being fulfilled, and that the time has arrived for better things even than those now seen. Rubric.

*To the viceroy of New Spain, ordering him to make a report concerning the expedition to and the reduction of the Indians which it is said the Franciscan missionaries have made in the province of El Navajo. If it is true that they have done so, he is to furnish them all the aid and assistance which they may need. Issued in duplicate. San Lorenzo, November 23, 1745*²⁵⁸

The King. To the Count of Fuenclara, etc. . . . cousin . . . my viceroy, governor, and captain-general of the provinces of New Spain and president of my royal audiencia thereof, which resides in the City of Mexico: I have been advised that in the month of May of the year just passed, two religious from the missions of New Mexico, which are under the care of the religious of the Order of Saint Francis, did, without any assistance and without any expense to my *real hacienda*, make an apostolic entry into the province of El Navajo, where they reduced to our holy faith more than five thousand heathen, and that they stayed there catechizing and instructing them in the mysteries of the faith. Of this marvelous event the governor of New Mexico gave you a report so that you might issue the proper orders to have the necessary ministers go thither for the advancement of a reduction and conversion of so much importance. It has therefore seemed wise to order and command you, as I do, that upon the first occasion offered you are to give me a detailed and definite report, by the hand of my undersigned secretary, of whatever may have occurred in this matter. In case it is true that the expedition was really made by the two missionary religious of the Order of Saint Francis into the province of El Navajo as stated, and that they reduced five thousand Indians whom, it is said, they are still there catechizing, I also order you to attend by all possible means to the increase and extension of these new reductions and conversions. You will give to the missionaries who are engaged in them all the aid and assistance which they may need for the perfect and complete achievement of their undertaking. This I expect from your activity and zeal, because you are so much interested in the propagation of our holy faith and, at the same time, in my royal service. Dated in San Lorenzo November 23, 1745. I THE KING.²⁵⁹

²⁵⁸ A. G. I., 103-3-6. (Guadalajara 235.)

²⁵⁹ F. R. B., Sevilla, Mar. 9, 1915.

*Letter of Father Cristóbal de Escobar y Llamas to the viceroy of New Spain in regard to the missions of the Moquis.*²⁶⁰ [Mexico, November 30, 1745]

Most Excellent Sir: I, Cristóbal de Escobar y Llamas, *preposito provincial* of the Company of Jesus in this New Spain, replying to the notification that was made to me by your Excellency's decree—issued on petition of the señor *fiscal*, in the *autos* that have passed officially between the señor *fiscal* of his Majesty and the *procurador general* of the Order of Saint Francis, in regard to the adjudication and *encomienda* of the missions, and the reductions that it is desired shall be founded in the province of the Moquis—to the effect that my province shall take under its care and charge the conquest and reduction of the said Indians, naming without delay three missionaries for it, in fulfillment of what was ordered by his Majesty in a cedula of July 19 of the past year of 1741, of which I was notified, along with the rest that appears in the *autos*,

Declare, with the humility due to your Excellency's exact knowledge and mature judgment, that you will be pleased to inform his Majesty of the difficulties which I find in the way of giving prompt obedience to his royal mandate, and of [making] the necessary preparations for this expedition, which only his Majesty can overcome and resolve. The first obstacle is the scarcity of workers from which this province suffers because of its disproportionate extent and of the large numbers who die from the severity of the climate, hardships, and the neglect which the Jesuits experience in the many missions that they now have under their charge. This condition can be remedied in part by bringing more numerous missionary recruits from Europe, and in part by the measure that has already been adopted by my most reverend father general in increasing the number of Jesuits that are received in this province. I have no doubt that your Excellency's authorization in this necessary matter will facilitate the sending of further aid to us in the form of more workers.

The second difficulty is that arising from law 32, title 15, book 1, of the *Recopilación de Indias*, which provides and directs that missionaries of different orders shall not operate in the same territory. Inasmuch as it appears from a certification of the governor of New Mexico, Don Gaspar Domingo de Mendoza, found in the *autos* which were presented in this superior government by *Procurador General* Menchero of the Seraphic Order of Saint Francis, that in the month of June, 1742, a year after the aforesaid cedula was issued, Father Fray Carlos Delgado and other religious, his companions, with an escort of soldiers which was given to them by the said governor, entered to preach the holy gospel in the *Santa Provincia* of the Moquis, whence they brought out converted four hundred and forty-one souls, of both sexes and all ages. By this act, most excellent Sir, it appears that the Seraphic Order is in possession of those missions. It also appears that this is confirmed by the señor *fiscal*,

²⁶⁰ Archivo General, etc., Mexico, Tomo 27. This archive designation is not clear. Bolton (*Guide*, p. 75) has the following entry under A. G. M., Misiones, vol. 27: "*Relación* of Christóbal de Escobar. Undated. (1742?)"—C. C. S.

for he permits without objection the making of a complete certified copy of the *autos* which Reverend *Procurador* Menchero requested, in view of the above-cited certification that he presented, in consideration of which the señor *asesor general* expressed the opinion to your Excellency that it should be given to him. In fact, certified copies were made of the *autos* in the past year, 1744, doubtless in order that they [the Franciscans] might use them to represent to his Majesty their acquired rights. Since the decision is pending upon the sovereign will of his Majesty, for one reason or another it seems that we may be excused for not carrying out his Majesty's supreme mandate and your Excellency's superior decree until the final decision arrives.

But if this decision shall be, most excellent Sir, that we Jesuits are to take charge of the said missions, it is necessary to bring to your Excellency's attention the requisite measure by which, if you will be pleased to inform yourself about them in relation to what has been stated above, every difficulty will be surmounted and all delay will be removed in hastening to the spiritual relief of those unhappy souls. The province of the Moquis, most excellent Sir, is so situated that it has only two entrances—one through New Mexico, which passes by the missions of the Franciscan fathers and is exposed to hostile attacks, for between New Mexico and the Moquis lies the Apache Indian nation, bordering on this side, and also on the side of Pimeria Alta, on the boundaries of the province of Sonora, where the other entrance opens.

In order to reach the Moquis one must traverse the entire Apache country, by which it may be seen how great the distance is, how difficult it is to secure help, how the neighboring missions can afford little or no assistance, and how great is the expense of the convoys, as escorts are essential for the long journey, and there is no commerce. In view of these facts your Excellency will not be surprised to hear that except by doubling the usual pay of three hundred pesos for each missionary, it is impracticable for them to attempt to transport themselves over a road so long, and much less to maintain themselves in that desert, especially as they must necessarily divide with the Indians a great part of what is intended for their sustenance. The latter is one of the most efficacious means for attracting and domesticating the distrustful pride and rough barbarity of the Indians, and indispensable for reducing them to a truly rational and civilized life, and gathering them from the villages scattered among passes and mountains into suitable places, with assignments of lands, so that by cultivating them they may obtain the sustenance that now in their heathen state they secure from wild plants in the forest, or by robberies on the roads.

For all this, besides what has been stated, it is also indispensable that each missionary shall have an escort of from four to six soldiers, subordinate to his orders, so that, while they safeguard the missionary's life, they shall not stray away to maltreat, meet, or offend the Indians. This escort should be assigned to them for a period of three or four years at least, for, even though we might be willing to risk the lives of the missionaries without it, yet experience has shown that when for lack of it the Indians have attacked and assassinated the fathers, their reduction is

made much more difficult, for they become alienated and withdraw to the mountains, troubled by their crime and incredulous of the mercy and pardon that are promised them.

Even the things already mentioned are not sufficient, most excellent Sir, to enable his Majesty, through his Catholic zeal and large expenditures from his royal funds, to prevent in time the loss of so many souls of adults and children, particularly since there is to be a delay in taking the light of the faith to them. It is also necessary that, while now, in the beginning, three missionaries may be sent alone, the door shall be kept open for promptly increasing their numbers, the need for more missionaries being recognized. In regard to the number necessary, even though the measure which his Majesty provides in his cedula of September 15 of the past year, 1744, of stationing two missionaries in each mission, be not put in effect, for reasons well known, at least there should be maintained one supernumerary, who, in the capacity of superior, can assist not only in the management and ordering of the missions, but also can take the place of any missionary who may fall out through sickness or death. In this manner prolonged neglect of the instruction of the Indians, which, because of the long distances, it is evident must otherwise result before the news can be sent and measures adopted, will be prevented, and in the interval what has previously been accomplished and gained shall not be undone.

I therefore consider it to be the duty of my office to represent and humbly supplicate that your Excellency will deign, through your Christian zeal, to add to the report upon the preceding points that it is necessary that the aforesaid measure providing for a supernumerary be extended to the other provinces already reduced to the faith, and that in proportion to their extent and the number of missions one or two supernumeraries shall be maintained. Besides the obligation incumbent upon me to care for corporal needs in the frequent sicknesses, and for spiritual needs in the oft-occurring deaths of my brothers, by the presence of the supernumeraries, the neighboring missionaries, who in most places are separated from each other by thirty or forty leagues, and some even more, cannot leave [their posts] without serious difficulties arising, it being very evident that they have earned the greatest right to my care and attention. And besides my obligation to the missionaries, the need is evident for the good of the Indians themselves, who, in the intervals caused by the sickness or death of the missionary, lack spiritual food and the care by which they are kept in their settlements. With such an opportunity their barbarous inclinations are again awakened in them and lead them away to the distractions of the mountains and canyons, where they return without hindrance to the dominion of idolatry, witchcraft, drunkenness, and other vices and misdeeds. Nor should your Excellency be surprised that so many years have passed without this measure being demanded, for through certain, indubitable, and personal information which I have received, I do not deny, nor am I ashamed to say frankly, that my brothers, up to this time, have acted with more zeal than discretion; or, what I believe to be more probable, they have been convinced that this just, reasonable, and proper measure was not attainable.

I do not doubt, however, that your Excellency's authorized report will have weight in the Catholic, generous, and charitable breast of his Majesty, and that the effective remedy demanded by such a just cause will be applied. Nor do I desire to make this representation only in fulfillment of the obligation of my office, but also because of the confidence that his Majesty has deigned to manifest in my Order and province by commending to their care the Christian culture of these nations, even though I might foolishly fear that it [the representation] would go unnoticed. But not even this fear remains with me, alike for the essential reasons stated, and because of the precedent that a short time ago we had almost in sight in the missions newly entrusted to the Franciscan apostolic fathers and to the Recollect fathers of San Pedro de Alcántara. I know that besides having two persons placed in each mission, the salary of each one has been increased, and even though [this was done] under the just pretext of the poverty which they profess and their inability to own property, yet they are aided by the obventions and alms that they receive from the common fund of their missionaries. While we are not permitted by our institute to receive obventions, the funds, small or large, which accrue as profits in some few, but not in all, of the missions, as the result of our efforts and care in inducing the Indians to work in common, in order to save them from idleness, are employed primarily in building and adorning the churches which could never be erected or adorned in any other way, in relieving the needs of the Indians themselves in their illnesses and famines, and in alms to other missionaries who enter those parts wholly destitute, supplying the missionary himself with personal necessities with the moderation that is prescribed by religious poverty, and even more sparingly than [is the custom] in the colleges of the province. I say this with the freedom and firmness given to me by the positive feeling that I have against the many mischievous infidels who at all times have come to this superior government of Mexico, and the many secular persons who are interested in those regions, not for the good of souls and the service of God at the cost of drudgery, hardships, and difficulties or even of blood and life itself, but in search of the riches and advantages that they do not find or cannot obtain in other parts, etc. Mexico, November 30, 1745.²⁶¹

*Letter from Father Fray Juan José Pérez Mirabal [to the Commissary General, Fray Juan Fogueras. Isleta, July 8, 1746]*²⁶²

Most Reverend Father Commissary General, Fray Juan Fogueras. Beloved Father: With the veneration arising from my grateful obligation, and with the most joyous and hearty good will, I inform your reverence that the reverend father *visitador*, Fray Juan Miguel Menchero, while engaged in the inspection of this holy *custodia*, guided by saintly zeal and the fear of God, and stimulated to undertake the conversion of souls, went

²⁶¹ F. R. B., Mexico, Jan. 29, 1912.

²⁶² A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandler Collection. The present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 795-799).

to the province of Navajo, where he obtained the success that his Christian and religious zeal desired. Through the preaching of the gospel those heathen were sufficiently reduced to be gathered into the fold of our holy Father and our holy mother church, and his success was made complete by the thanksgiving [proclaimed] by his Majesty, who has so much pleasure in the conversion of souls. His spirit invigorated with Catholic strength and with still more ardent love, he [Menchero] went to another nation of heathen Apaches at a place called La Cebolleta, where, strong and eager for souls, and armed for the evangelical war, he won a happy victory by entreating Divine aid, in which, the enemy having been struck down, he succeeded in multiplying the lambs of the Divine Shepherd, bringing to his fold more than five hundred souls. All the children had holy baptism conferred upon them; and although all the grown persons begged for it with much love and insistence, the said reverend father with great wisdom and judgment made them understand that it was necessary for them first to learn the rudiments of our Catholic faith, by means of the teachings of the missionary fathers appointed for the duty, and that they would then attain their desire to live under the banner of the militant church. This demonstration is so gratifying that we, as the interested ones, ought to be full of joy, not forgetting to give to God, our Lord, the thanks due him for winning so many souls, and to your reverence the congratulations deserved by the care with which you, with your fervent love, procure the advancement of these souls, and of these holy conversions, especially since your reverence, as our worthy prelate, enjoys the honor of such a lofty enterprise. Mission of San Juan, July 8, 1746.

[*Letter of Fray Carlos Delgado and other religious to the Commissary General, Fray Juan Fogueras. Isleta, July 11, 1746*]²⁶³

Our Reverend Father Commissary General, Fray Juan Fogueras: Our obligation impels us to give many thanks to your reverence for the piety and love with which you regarded us of this holy *custodia* by sending a *visitador*, who, like your other self, ruled by the Divine Spirit, has comported himself with a piety, prudence, and discretion truly seraphic. He has been a rainbow of peace in the turbulent storm that occurred in regard to those whom we had converted in the year '44 in the province of Navajoo. The father astutely [understood] the lie that influenced hearts to oppose themselves, under the pretext of zeal, to the many prodigies that the Divine Majesty has wrought in the miraculous conversion of more than five thousand souls. They based their argument upon our humble position, our rusticity, and our ignorance, but this is rather a sign by which omnipotence is asserted, than a reason for diminishing the Divine power. We acknowledge, however, and shall convince our opponents, that we have many advantages in prudence and wisdom, and for this reason the Divine Majesty concealed the conversions from them and opened the door to us, so that we might enter the rocky paths of the uncultivated

²⁶³ A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 27). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 799-802).

province of Navajoo, to convert the unpolished stones, its inhabitants, into purest gold for cups on the table of the Divine Spouse, Jesus. With a thousand thanks, our reverend father, they replied to the most reverend father *visitador* that although they were new in the faith, they were not children, to unsay what they had once said; on the contrary, it was we ourselves that they reasoned to be liars because of our delay. Now the father *visitador*, Fray Juan Miguel Menchero, proved that we were tellers of the truth when they had accredited us with falsehoods in the planting of this seraphic garden, and we trust in the divine seraphic Apollo, who is your reverence, to give them soon a watering, so that they may experience the increase of the moon, truth, which is God alone.²⁶⁴ This we beg of your reverence as a reward for our labor, and that many thanks be given to the father *visitador*, Fray Juan Miguel Menchero, for the new conversion that he made among the inhabitants of the Sierra de la Cevolleta. Mission of La Isleta, July 11, 1746. Fray JUAN CARLOS DELGADO, Fray JOSÉ YRIGOYEN, Fray JUAN JOSÉ TOLEDO.

*Representation of the city of Guadalajara, with two certified documents. Guadalajara, May 26, 1747*²⁶⁵

The civic body makes a report, with two certified documents, of the events of the day on which the bull of the Santa Cruzada was published, calling attention to the fact that it is customary on such occasions for the civic officials to attend in a body on the eve of the day of its publication, notwithstanding its being declared to the contrary, and that it is also customary for the civic officials to accompany the notary to take it from his house, in the same manner. He enjoys this preëminence, which neither the *fiscal* nor the *alférez real* is entitled to, for two commissaries of the *cabildo* accompany them. It is also pointed out that the standard of the bull ought to be displayed by one of the royal officials who administers the alms, since there is no proprietary treasurer, in which case his having already a place and seat with the royal audiencia will prevent the rivalry which the notary manifested over the seat. It is petitioned that it be declared that no private person ought [to have a seat], and in case a seat should be granted in the *cabildo*, that preference be given the *regidor*, who would preside in the place of the *alférez real*. Nor should the civic officials attend as such, with maces, the proprietary treasurer, nor him who in his place may display the standard in the procession, except at the time when he carries it, as is done in the case of the *alférez real* when he raises the royal standard.

Certified Document Number 1. I, Don Manuel Nicolás de Mena, senior public clerk of his Majesty, of the *cabildo*, deputation, annotations, and registers of this most noble city, and notary of the Holy Office of the Inquisition, certify and attest that on yesterday afternoon at four o'clock

²⁶⁴ This peculiar expression is probably one of Father Delgado's extravagant metaphors, in which he refers to the popular idea that the growth of plants is influenced by the moon, so, therefore, the growth of the soul plants in the garden which he mentions is influenced by the true moon—that is, God.—N. V. S.

²⁶⁵ A. G. I., 67-3-6. (Guadalajara 112.)

the *cabildo justicia y regimiento* of this city left the house of the *ayuntamiento* with the royal maces, and proceeded on horseback to the house of Señor Don Francisco Madrigal, cleric, presbyter, and notary of the royal and apostolic tribunal of the Santa Cruzada, and escorted him in a body to the house of the señor sub-delegate general, in whose window was the standard of the said tribunal, and took it, and marched through the streets and proclaimed the *auto* which ordered that they be present to-day at the publication of the said bull. The procession coming to an end, all accompanied the said notary with the said standard to his house. There they alighted and carried the maces into the *sala* of the said notary, where they remained while refreshments were taken. Then the said *cabildo y regimiento* again mounted and returned to leave the royal maces in the houses of the *ayuntamiento*. This ceremony is the same that has been observed with the said notary since the time that, for lack of a proprietary treasurer, the administration has been carried on by the royal officials of the *caja*—a period of eight years.

I likewise certify that to-day the said *cabildo y regimiento* passed in a body to the house of the señor commissary and accompanied the royal tribunal to the convent of nuns of Santa María de Gracia, and the said notary having been given a place in the chaise after the two *alcaldes ordinarios* and the señor *regidor decano*, since the señor *alférez real* was not present, the said notary claimed that they should have given him a place between the two *alcaldes*. This was denied and he was told that the señor *regidor decano* represented the authority of the whole *cabildo*, and no private person ought to outrank him. Nevertheless, to prevent a scandal, the señor *alcalde ordinario de segundo voto* arose from his seat and gave it to the said notary. And in the church of the convent the notary was given a place after the señor *decano*, and the notary then protested that he ought to have the place which he had occupied in the procession. The reply was made to him that in the procession he carried the royal standard, and therefore was given a place between the two *alcaldes*, in the same way that the señores *presidentes* gave their position to the señor *alférez real* in the procession on the day of San Miguel, without the said señor *alférez* claiming for this reason to have precedence over the señores *ministros togados* in the church; whereupon the said notary subsided. I certify also that after the procession of the bull, being now in the cathedral church, the said notary again claimed the seat between the two *alcaldes*, and, being refused, the porter of the city arrived with a message from the señor commissary, demanding that the said notary be given the place between the two *alcaldes*, as was the custom. This custom I certify has obtained since the absence of a proprietary treasurer of bulls. As a result of the message, the *cabildo y regimiento*, by common accord, gave the said notary the place which he demanded, in order to prevent a scandal, protesting that they would appeal to his Majesty in his royal and supreme Council of the Indies, to represent their rights. I was ordered to certify to the above as clerk of the said *cabildo*.

Dated in the city of Guadalajara, capital of the new kingdom of La Galicia, on the ninth day of the month of April, 1747, witnesses being Don

Domingo Antonio de Vaqueta y Victoria, Antonio de Barreda, and Eugenio Delgadillo, present and residents. Signatures.

Certified Document Number 2. I, Don Manuel Nicolás de Mena, etc., etc., . . . certify and attest that each year the standard of his Majesty is raised in this city by the señor *alférez real* on the day of Señor San Miguel in commemoration of the conquest of this kingdom of La Nueva Galicia, and he goes through the streets in a mounted procession, the said royal standard being accompanied by the señor *presidente* and the señores *ministros togados*, the royal officials, and the *cabildo* in a body, together with other citizens invited by the said señor *alférez*. They proceed in the following order: From the houses of the *ayuntamiento* two commissaries of the *cabildo* go to the house of the señor *fiscal*, whom they accompany to the house of the señor *alférez real*, who joins them, and they go thence to the houses of the *cabildo*, from which, after receiving the customary oath, they leave with the royal standard and the civic body, with maces, to get the señor *presidente* and the royal audiencia. When the procession is over, the señor *presidente* and the audiencia are left in their palace, and they return to the house of the *ayuntamiento* to leave the royal standard and the maces. Finally, the said señor *fiscal* and his escort pass to the house of the said señor *alférez* where they take refreshments and the assembly disperses. This is the form which I have seen used during most of the years which I have served as public clerk, etc., etc.²⁶⁶

*Communication regarding the missions of La Cebolleta and Encinal, and the occurrences there in this year 1750. (Written by Don Tomás Vélez Gachupín [sic].*²⁶⁷ *Santa Fé, March 24, 1750)*²⁶⁸

Reverend Father Vice-Custodian, Fray Manuel de San Juan Nepomuceno y Trigo. My dear Sir: I have learned that the recent petition of the Navajo Apaches of the mission of Encinal to found their pueblo at the place called Cubero, because of the greater abundance and convenience of the water, may produce some disagreements and ill-will with the mission of Ácoma in regard to the territory and appurtenances of each, which would occasion great injury to the conversion of the Navajos. Since it is necessary to watch over the latter and take care that the steps taken up to this time for their reduction to God and the king shall not be wasted, as well as to see that the old mission of Ácoma shall not be incommoded or offended, I have resolved that my lieutenant-general, Don Bernardo Antonio Bustamante y Tagle, shall go to these missions with my instructions for the purpose of preventing in the establishment of the Navajos quarrels and disagreements with the Ácomas, so that both nations shall remain satisfied, friendly, and content with their possessions, territories, waters, and pastures. Indeed, prudence requires such regulations [as will

²⁶⁶ F. R. B., Sevilla, Feb. 5, 1915.

²⁶⁷ Bloom ("The Governors of New Mexico," *loc. cit.*, p. 155) lists Tomás Vélez Cachupín as governor of New Mexico from 1749 to 1754.

²⁶⁸ A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 28). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 1090-1095).

assure] that these two missions mentioned, the one because it is new and the other because it is old, shall not suffer any harm, nor leave any motive for the grievances, disturbances, and disagreements which may alter the harmony of the affectionate intercourse between the two pueblos, from which would follow, as a consequence, pernicious results to the service of both Majesties.

Considering how necessary is the aid of your reverence and of your religious and learned person in the matter, so that there shall not occur on the part of those respective ministers, in defense of their missions, any dangerous antagonism which may destroy this purpose and the peace which it is desired to establish, I beg and pray your reverence to interest yourself personally in this just, conclusive, and lawful measure. I request also that you will be pleased to go in company with [Don Bernardo Bustamente y Tagle] to my missions spoken of, so that respect for your reverence, and for your upright conduct and religious discretion, may avert the disturbances feared and secure the end of satisfying both resentful parties. Although I take into consideration the discomfort of traveling more than fifty leagues, I believe, from the fervent religious zeal of your reverence in the service of both Majesties, and for the honor of the Seraphic Order, that you will grant my supplication, knowing it to be for such purposes, so that we may consult each other verbally and discuss the measures necessary to bring about peace. It also will enable the ministers of the two new missions of La Cebolleta and Encinal to fulfill their charges in the reduction and catechizing of those Indians in the wisest and most efficacious manner, impressing upon them good customs and community government, in order to displace the uncivilized customs of the wild barbarians of the desert mountains. Your reverence may inspire, with the aid of [the missionaries of] La Laguna and Ácoma, the selection of a suitable place where the missionaries may celebrate the holy sacrifice of the mass, and accustom the Indians to Christian concourse, devotion, and duty.

I await the final decision of your reverence and your valued orders, and I desire to please you in all things. May our Lord preserve your reverence for many years. Santa Fé, March 24, 1750. Your humblest and most affectionate, devoted servant kisses your reverence's hands. Don TOMÁS VÉLEZ GACHUPÍN [*sic*].

*Report made by Reverend Father Fray Carlos Delgado to our Reverend Father Ximeno concerning the abominable hostilities and tyrannies of the governors and alcaldes mayores toward the Indians, to the consternation of the custodia. The year 1750.*²⁶⁹ [Santa Bárbara, March 27, 1750]

Very Reverend Father and our Minister Provincial: I, Fray Carlos José Delgado, preacher general, commissary, notary, and censor of the Holy Office, apostolic notary, and missionary in the *custodia* of the con-

²⁶⁹ The archive designation of this document is not given in the Bandelier transcript of the same. Bolton (*Guide*, p. 27) lists this report as *expediente 2* in A. G. M., Historia, vol. 25.

version of San Pablo of this province of El Santo Evangelio in the kingdom of New Mexico, appear before your reverence only for the purpose of lamenting before your paternal love the grave extortions that we, the ministers of these missions, are suffering, at the hands of the governors and *alcaldes* of that kingdom. I declare, that of the eleven governors and many *alcaldes mayores* whom I have known in the long period of forty years that I have served at the mission called San Agustín de la Isleta, most of them have hated, and do hate to the death, and insult and persecute the missionary religious, causing them all the troubles and annoyances that their passion dictates, without any other reason or fault than the opposition of the religious to the very serious injustices which the said governors and *alcaldes* inflict upon the helpless Indians recently received into the faith, so that the said converts shall not forsake our holy law and flee to the heathen, to take up anew their former idolatries. This is experienced every day, not without grave sorrow and heartfelt tears on the part of those evangelical sowers, who, on seeing that their work is wasted and that the fecund seed of their preaching to those souls is lost and bears no fruit, cry out to heaven and sorrowfully ask a remedy for this great evil. In order that your reverence's exalted understanding may regard as just the reasons which support the said missionaries in their opposition to the aforesaid extortions, even though it should be at the cost of their lives, and also in order that you may come to their aid with the measures best fitted for the total abolition of the said injuries and injustices, I shall specify them in the following manner :

The first annoyance with which the persons mentioned molest the Indians is to send agents every year (contrary to the royal ordinances, and especially to a decree of the most excellent señor, Don Francisco Fernández de la Cueva Henríquez, Duke of Albuquerque, and viceroy of New Spain, issued in this City of Mexico on May 18, 1709, whose content I present, the original being kept in the archive of the *custodia* mentioned) at the time of the harvest, to all the pueblos of the kingdom, under the pretext of buying maize for the support of their households, though most of it is really to be sold in the nearest villages. The said agents take from all the pueblos and missions eight hundred or a thousand *fanegas*, and compel the Indians to transport them to the place where the governor lives. Besides not paying them anything for the said transportation, they do not pay them for the maize at once, and when the date arrives which they have designated for the payment, if the maize is worth two pesos a *fanega* they give them only one. Even this amount is not in coin or in any article that can be useful to the Indians, but in baubles, such as *chuchumates*, which are glass beads, ill-made knives, relics, awls, and a few handfuls of common tobacco, the value of which does not amount even to a tenth part of what the maize is worth which they extract from them by force, and this even though as has been said, they pay them only half the proper price that is charged throughout the kingdom. From this manifest injustice two very serious evils result : first, the unhappy Indians are left without anything to eat for the greater part of the year ; and second, in order

not to perish of hunger they are forced to go to the mountains and hunt for game or to serve on the ranches or farms for their food alone, leaving the missions abandoned.

The second oppression that the Indians frequently suffer at the hands of the governors is being compelled arbitrarily and by force, for the small price of an awl or other similar trifle, to work on the buildings that they need, whatever they may be and whether they require little or much time. The Indians also are required to drive cattle as far as the villa of Chihuahua, which is more than two hundred leagues distant from the place where the governors live. They receive in payment for this service only a little ground corn, which they call *pinole*, and the Indian cattle drivers are compelled to pay for those [animals] that are lost or die for want of care or by any other accident. A pernicious evil arises from this cattle driving, for the Indians must abandon their families and leave their lands uncultivated, and, as a consequence, be dying of hunger during the greater part of the year.

The third oppression, and the most grievous and pernicious, from which originate innumerable evils and sins against God, and manifest injuries against the missionaries and Indians, is the wicked dissimulation of the governors in regard to the acts of the *alcaldes mayores*, for it is publicly known throughout the realm that when they give them their *varas*, or wands of office, they tell and advise them to make the Indians work without pity.

With such express license, your reverence can imagine how many disturbances will be caused by men who usually take the employment of *alcaldes mayores* solely for the purpose of advancing their own interests and acquiring property with which to make presents to the governors, so that the latter will countenance their unjust proceedings, even though they be denounced before them, and perhaps will even promote them in office. Every year they make the Indians weave four hundred blankets, or as many woolen sheets; they take from all the pueblos squads of thirty or forty Indians and work them the greater part of the year in planting maize and wheat, which they care for until it is placed in the granaries; they send them among the heathen Indians to trade indigo, knives, tobacco, and *chuchumates*, for cattle and for deer hides. Not even the women are exempt from this tyranny, for if the officials cannot make use of their work in any other way they compel them to spin almost all the wool needed for the said sheets and blankets. And the most lamentable thing about all this is that they recompense them for these tasks with only a handful of tobacco, which is divided among eighteen or twenty.

The most grievous thing for the heathen Indians is that the *alcaldes* and even some of the governors, mix with their wives and daughters, often violating them, and this so openly that with a very little effort the violation of their consorts comes to the knowledge of the husbands, and as a result it often happens that they repudiate their wives and will not receive them until the missionary fathers labor to persuade them. The shameless way in which the officials conduct themselves in this particular is proved by an occasion when a certain governor was in conversation with some

missionaries, and an Indian woman came into their presence to charge him with the rape of her daughter, and he, without changing countenance, ordered that she should be paid by merely giving her a buffalo skin that he had at hand.

Yet all that I have hitherto related does not drive the Indians to the limits of desperation or cause them to fall away from our holy faith so much as when the said *alcaldes* compel them to deliver to them a quantity of deer skins, lard, sheaves [of grain], chickens, and other things that their desires dictate, saying that they are for the governors, who ask for them. The Indian has to submit to this injustice, for they either take it from him without asking, or, if he does not have what the *alcaldes* ask for or does not give it promptly enough when he has it, he suffers either spoliation or punishment.

These punishments are so cruel and inhuman that sometimes for a slight offence, sometimes because the Indian resists the outrages that they inflict upon him, or sometimes because they are slow in doing what the *alcaldes* order, they are put in jail for many days, are confined in the stocks, or—and I cannot say it without tears—the officials flog them so pitilessly that, their wrath not being appeased by seeing them shed their blood, they inflict such deep scars upon them that they remain for many years. It is a proof of this second point that when I went among the heathen to reduce the apostates there were among them some who, with an aggrieved air, showed me their scars, thus giving me to understand that the reason why they fled and did not return to the pale of the church was their fear of these cruel punishments.

A further distressing proof of this practice is what was done in the past year at El Paso by a captain to a Catholic Indian of the Zuma nation, sacristan of the mission of El Real. A servant of the captain of El Paso had hidden three ears of corn which he had stolen from his master. The sacristan took them from him, and, without any more proof or reason than having found him with them in his hands, and because the said servant, to escape punishment, said that the innocent Indian often stole corn from the granaries, the said captain became so angered that, in violation of all natural and divine laws, he ordered six soldiers to take the Indian out and kill him in the fields.

They carried out the order, and when the unfortunate Zuma cried aloud for confession they did not yield to his entreaties, but gave him a violent death, perhaps being fearful that the missionary religious, whose duty it was to administer the holy sacrament to him, would prevent the execution of that unjust order, even though it might be at the cost of his life.

The outrage did not stop here, for when the Zuma Indians of the mission of El Real learned of the death of their countryman, they began to rise up, all crying out: "Why, since we are Christians, do they not permit us to confess at the hour of death? Let us flee to the mountains!" They did not flee, our father, either because the soldiers restrained them or because the fathers appealed to them. A still greater injury, however, arose from the remedy, for the governor having ordered a large troop of Zumas of both sexes to come to this city, simply because an Indian woman

and two men were not able to travel as fast as the others, having crippled feet, the corporal who was leading them ordered them to be beheaded at a place called El Gallego, where he left the bodies unburied, to the intense grief of their companions and relatives, whose sorrow was not lessened on seeing that the said corporal and the rest of the escort robbed them of their little children in order to sell them as slaves in various places along the road.

Nor is it only the said *alcaldes* and governors that ill-treat the Indians in the manner described, but even the judges who enter to conduct the *residencias* of the *alcaldes* and governors who have completed their terms of office, inflict upon the Indians as much injury and hardship as may conduce to the advancement of their own interests and the success of their ambitious desires. It is public knowledge throughout the kingdom that such persons seek to conduct these *residencias* more for what they gain by unjust and violent spoliation of the Indians than for what they receive from the office that they exercise.

Finally, to such an extreme do the iniquities reach that are practiced against the Indians by governors and *alcaldes mayores*, as well as by the judges of *residencia*, that, losing patience and possessed by fear, they turn their backs to our holy mother, the Church, abandon their pueblos and missions, and flee to the heathen, there to worship the devil, and, most lamentable of all, to confirm in idolatries those who have never been illumined by the light of our holy faith, so that they will never give ear or credit to the preaching of the gospel. Because of all this, every day new conversions become more difficult, and the zealous missionaries who in the service of both Majesties are anxiously seeking the propagation of the gospel, most often see their work wasted and do [not] accomplish the purpose of their extended wanderings.

Although it cannot be denied that those barbarous nations are stiff-necked, yet there have been many instances where thousands of them have entered joyfully through the requisite door of the holy sacrament of baptism, and most of the apostates would return to the bosom of the Church if they did not fear, with such good reason, the punishments and extortions that I have already spoken of. They have told me this on most of the occasions when I have entered in fulfillment of my obligation to reduce apostates and convert the heathen. In the year 1742, when, at the cost of indescribable labor and hardships, I reduced four hundred and forty odd among apostates and heathen in the province of Moqui, innumerable souls would have come to the bosom of our holy Church had they not been deterred by the reason that I have stated.

Although the missionary religious ought to oppose themselves to these grave injuries and their pernicious consequences, they often do not do it; first, because they never succeed in attaining their purpose, but on the contrary are insulted, disrespected, and held to be disturbers of the peace; second, because the governors and *alcaldes* impute and charge them with crimes that they have never committed, which they proceed to prove with false witnesses whom they have suborned before the father custodian, and compel the latter to proceed against the religious whom they calum-

niate. And although the said custodians know very well that the denunciations are born of hatred, they proceed against the missionaries, changing them from one mission to another, in order to prevent the said governors from committing the excess of using their power to expel the missionaries from the kingdom, as has often happened; and also because, when the custodians do not agree to what the governors ask, the latter refuse to certify the allowance for the administration of the religious, which certification is necessary in order that the most excellent señor viceroy may issue the honorariums that his Majesty (whom may God preserve) assigns for the maintenance of the missionary religious. It has seemed to me that all that I have said ought to be presented before the charitable zeal of your reverence, so that, having it before you as father of those faithful sons, your apostolic missionaries, you may put into execution the means that your discretion may decide upon, with the purpose of ending this great abuse, of redeeming all those helpless people, and consoling your sorrowing sons. It is indisputable that whatever I have said is public, notorious, certain and true, as I swear *in verbo sacerdotis tacto pectore*, at this hospice of Santa Bárbara of the pueblo of Tlatelolco,²⁷⁰ on March 27, 1750. Our very reverend father, your humblest subject, Fray CARLOS JOSÉ DELGADO, who venerates you, places himself at your feet.

Copy of the decree of the señor viceroy, cited at the beginning of the second paragraph [of the preceding document], in parenthesis.²⁷¹ [Mexico, May 18, 1709]

Don Francisco Fernández de la Cueva Henríquez, Duke of Albuquerque, Marquis of Cuellar, Count of Ledezma and Huelma; lord of the villas of Momveltrán, La Codovera, Lanzayta, Mijares, Pedro Bernardo, and the villages of Dávila, San Estevan, Villaredo and Las Cuevas; *comendador* of Guadalcanal in the Order of Santiago and of Benjayán in Alcántara, gentleman of the chamber of his Majesty, his viceroy, lieutenant governor and captain-general of this New Spain, and president of its royal audiencia, etc.

Having considered in the *junta general* that I ordered to be called on the 15th of the current month the points brought up in the reports that were secretly made to me, by which it appears that besides the work which the Indians have done on the buildings of the fort, they have engaged in other labor, such as planting in their pueblos every year fields of corn, wheat, and other grains for the governors and *alcaldes mayores*, being compelled to care for them until they are stored in the palace or houses, and the Indian woman being compelled to grind the maize and wheat by hand, without any pay for this excessive labor; and that besides this they are compelled, both men and women, to go every week to work, from which it usually results that, as they are taken away all at once by the governor and *alcaldes mayores* of those provinces, the pueblos are left

²⁷⁰ Possibly "Tlatelolco."

²⁷¹ The archive designation of this document is not given in the Bandelier transcript of the same and it has not been located.

with very few people, and the smaller ones without any, for not even those who are under instruction are exempt, from which follow pernicious evils and consequences, against the service of both Majesties and the good of the Indians; and that this evil custom was introduced some time ago, and, because of it, there was no improvement in the spiritual and temporal condition of the Indians; and that if some remedy were not applied to secure their liberty and good treatment, and assure that their services should be voluntary and that payment be given for their work, the revolt that was being threatened every day would take place; and that this same thing was also proved by the complaints made before Don Antonio de Serranieto who reported it to me in the criminal process that he drew up against Martín García and associates, in which there was a copy of the said complaints; and since these matters are very important and require a prompt and effective remedy, by a decree of this day I have ordered the governor of those provinces, under penalty of a fine of two thousand pesos which I have adjudged to my disposal, besides what the damage caused to the Indians will amount to, to restrain the *alcaldes mayores* and forbid them to execute and commit such extortions and outrages upon the Indians. This penalty is also to be understood as affecting the *alcaldes mayores*. By this present writing, and in conformity with what was resolved in the said junta, I entreat and charge the reverend fathers custodians and teachers that they shall observe whether or not this mandate is carried out and inform me of it, so that, accordingly, proper measures may be taken for the purpose of correcting and abolishing the great injuries and wrongs which the Indians are suffering. Mexico, May 18, 1709. The Duke of ALBUQUERQUE. By order of his Excellency. JUAN DE MORALES.

[*Certification of Fray Manuel González Villarroel y Maqueda.*
El Paso, November 9, 1738]²⁷²

I, Fray Manuel González Villarroel y Maqueda, secretary of this *custodia* of the conversion of San Pablo of New Mexico, certify that the foregoing decree is accurately copied and agrees with the original, the copying and comparison having been witnessed by the undersigned reverend fathers *discretos*. The original remains in the archive of this aforesaid holy *custodia*, to which I attest. Done at this mission of El Paso del Río del Norte on November 9, 1738. Fray MANUEL GONZÁLEZ VILLARROEL Y MAQUEDA, secretary. Fray ANDRÉS VARO, *discreto*. Fray JOSÉ TRIGOLLÉN, *discreto*.

[*Certification of Fray Francisco Antonio de la Rosa Figueroa.*
Mexico, February 14, 1771]

At this convent of Nuestro Padre San Francisco de Mexico, on February 14, 1771, by order of our reverend father, Fray Francisco Serrano,

²⁷² This and the next document were omitted from the Bandelier copy; the translations herein are from the Bancroft Library copy of the *expediente* containing these documents (*N. Mex. Docs.*, I: 126-128).

preacher general and *definidor* of this province of El Santo Evangelio and minister provincial, I, Francisco Antonio de la Rosa Figueroa, preacher, apostolic notary, censor of books for the Holy Office, and archivist of this holy province, made a literal copy not only of the *consulta* of Father Fray Carlos José Delgado to our reverend father, Fray José Jimeno (he being provincial), but also of the subjoined decree of the Señor Duke of Albuquerque which was enclosed with it. This copy agrees literally with the originals and was made by my hand in case the said originals would have to be presented to the most excellent señor viceroy. I swear and testify to their truth, at this said convent on the aforesaid day, month, and year *ut supra*. FRAY FRANCISCO ANTONIO DE LA ROSA FIGUEROA, apostolic notary of the Holy Office.

[*Letter of Fray Manuel de San Juan Nepomuceno y Trigo to Lieutenant-General Don Bernardo Bustamante y Tagle. The year 1750*] ²⁷⁸

Señor Lieutenant-General Don Bernardo Bustamante y Tagle: I, Fray Manuel de San Juan Nepomuceno y Trigo, of the regular observance of our father, Saint Francis, preacher emeritus and vice-custodian of these interior missions of New Mexico, appear before you as best I can, in accordance with the law and my own rights, and declare: That, having received the letter which I present in proper form before you, in which the señor governor and captain-general of this kingdom, Don Tomás Vélez Gachupín, orders me, in the form of exhortation, to go with you to bring about a peaceful settlement between the Indians of the new mission of Encinal and those of the mission of Ácoma as regards a site for founding pueblos for the aforesaid Indians of Encinal, I went in person to those territories, as you know, and, being on the 16th of this present month of April at the mission of La Laguna, you yourself gave me a letter from the señor governor. The purport of the letter was to inform me that the Indians of the two new missions of Encinal and Cebolleta had rebelled and driven out the father preachers, Fray Juan de Lezaún and Fray Manuel Vermejo, who were laboring to instruct them, as is well known, and suffering many hardships in the service of both Majesties; as a result his lordship directed me to go in person and make a full investigation into the occurrence. All this I did, as you know, and, as in a case so important it is necessary for me to make a report to my superior prelates, you will be pleased as a result of this [petition] to cause to appear before you the *alcalde mayor* of the said missions and his lieutenants, together with the *alcalde mayor* of the mission of Zufí, who were witnesses of all that occurred, so that they may testify to and declare all that I did to reduce them, sacrificing myself to remain with them for the purpose of attaining this end; what they replied to me; and whether they have complaints against the fathers, or against Reverend Father Fray Miguel Menchero.

²⁷⁸ A. G. M., Historia, vol. 25 (see Bolton, *Guide*, p. 28). A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 1095-1099).

And when these declarations are finished, you will also be pleased to state, in a legal *auto*, all that you saw and learned, so that with these documents I may advise my superior prelates and their reverences how to provided the most efficacious remedy, with the object of clearing the good name of the holy habit. I beg and pray that you will take such measures as are just. Fray MANUEL DE SAN JUAN NEPOMUCENO Y TRIGO.

[*Auto of Don Bernardo Antonio de Bustamente y Tagle.
Ácoma, April 18, 1750*]²⁷⁴

At this pueblo and mission of San Estevan de Ácoma, on the 18th day of the month of April, 1750, the preceding requisition and document were presented to me, Don Bernardo Antonio de Bustamente y Tagle, lieutenant-general and *juez comisario*. I accepted them as presented, and for the further proof and justification that is requested therein, I caused to appear before me Captain Don Fernando Ruyamor, *alcalde mayor* of the pueblos of San Estevan de Ácoma and San José de la Laguna, from whom I received the oath in proper legal form, and who promised to speak the whole truth in regard to all that he knew, or might have heard, or that might be asked of him. Being asked if he had been in the assemblage at the pueblo of La Cebolleta in company with the reverend father *visitador*, preacher, and vice-custodian, Fray Manuel de San Juan Nepomuceno y Trigo, and the lieutenant-general, Don Bernardo Antonio Bustamente y Tagle, and other Spanish citizens, he said:

That he was, and that he saw the affection which they exhibited towards the Apaches living there, and the urgent and eloquent words that they addressed to them in the said council, in their great zeal for the permanence and perseverance of the Catholic faith and for obedience to the king. They promised the Indians that if they accepted these things of their own accord they would be rewarded by God, that all the Spaniards, the fathers and the governor, would hold them in esteem, that they would not be molested in any way, and that their pueblo would be built apart in a good place, where they could plant their crops and live at ease, the children of the Christians and the others being sent to the place where the father was, so that he might teach them the Christian doctrine. They replied that they did not want pueblos now nor did they desire to be Christians, nor had they ever asked for the fathers; and that what they had all said in the beginning to the reverend father commissary, Fray Miguel Menchero, was that they were grown up, and could not become Christians or stay in one place because they had been raised like deer; that they would give some of the children who were born to have water thrown upon them, and that these, as believers, might perhaps build pueblos and have a father, but that now they did not desire either fathers or pueblos; that they would be, as always, friends and comrades of the Spaniards, and that if the father wished to remain there they would do him no harm, but that they could not be Christians.

²⁷⁴ A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 1099-1107).

When the reverend father custodian told them that if they were not pleased with the father who was with them he would give them another, but otherwise his reverence would remain with them to show their children the road to heaven, because, being baptized, they were now our brothers, they replied that the father had done them no harm whatever, but that he was poor and had nothing to give them; that they had never told Father Menchero that they would submit themselves, but that they would give some of their children to have the water thrown upon them, and they themselves would live as they had always lived. Therefore, Reverend Father Fray Miguel Menchero had given hoes and picks as payment to those who brought their children to be baptized, but they had never told him that they would consent to live in a pueblo, and now all of them said that they did not desire to be Christians.

The Indians of Encinal, being assembled with their captain, Don Fernando, made the same answers to the forceful arguments of the reverend father vice-custodian and the lieutenant-general as did those of La Cebolleta, as stated above, adding that the said reverend father custodian—I should say Menchero—had not given them all that he had promised for bringing their children to be baptized. He said that he would send them mares, mules, horses, cows, clothing, and many sheep; but perhaps because he did not have them or wish to give them, they now spoke of it no more. They did not desire pueblos nor wish to be Christians, which was what they said at the beginning. This is all that he observed, saw and heard. After the above conference or colloquy was finished, the interpreter spoke as follows:

“Father and señor lieutenant, I know all these people well, for they are my people and my relatives, and I say that neither now nor ever will they be Christians. They may say yes in order to get what is offered them, but afterwards they say no. My mother and sister, who are here, are the same, and I have not been able to persuade them to come with me and be Christians. This is all I can say through having heard it in the said councils, under the oath that I have made.” His [Don Fernando Ruyamor’s] declaration having been read once, twice, and three times, he affirmed and ratified it in accordance with what he has declared above, retracting nothing. He added [a remark upon] the great urgency, spirit, and zeal in the service of both Majesties that were manifested to the said Apaches of La Cebolleta and Encinal by the aforesaid reverend father vice-custodian, Fray Manuel de San Juan Nepomuceno y Trigo, and the said lieutenant-general, Don Antonio Bustamente y Tagle; but the Indians were determined not to be Christians. The deponent is sixty years of age, and he signed it with me, the said lieutenant-general and the assisting witnesses, with whom I perform the functions of the office of *receptoría* because of the well-known lack of a royal or public clerk, there being none in this kingdom, to which I attest. ANTONIO FERNÁNDEZ RUYANDOR[?]. BERNARDO ANTONIO BUSTAMENTE Y TAGLE, *juez receptor*, JOSÉ MANUEL DE SANTA BÁRBARA TRIGO. JUAN MIGUEL ÁLVAREZ DEL CASTILLO.

[*Other autos of the same. Same date*] ²⁷⁵

Immediately, on the said day, month, and year, I the aforesaid lieutenant-general, Bernardo Antonio Bustamante y Tagle, for the further confirmation that is requested in the paper presented by the reverend father vice-custodian, Fray Manuel de San Juan Nepomuceno y Trigo, caused to appear before me the lieutenant of the jurisdiction of Acoma and La Laguna, Pedro Romero, and when he was in my presence I received his oath in proper legal form, which he made before God, our Lord, and the sign of the cross, promising to speak the truth in all that he knew or should be asked. Being asked if he had been present and had heard the statements which the reverend father and the lieutenant-general had caused to be made known through interpreters to all the chiefs, young men, women, and children who were assembled at the pueblo of La Cebolleta on the 16th of the current month, and what those Apache Indians replied to all that we on our part said and made known to them, he answered that he was present at the meeting and heard all the statements that were made to them.

The first question being as to whether they wished to have a pueblo, and a father, and to be Christians, they replied that they had never told Reverend Father Fray Miguel Menchero that they were ready to become Christians, because they were grown up, and had been raised like deer, wandering from one place to another; nor had they asked him for a father. What they had said was that some of them would give their children to have water thrown on them, and that perhaps when they grew up they would have pueblos, and would remain quiet and assembled in them. When the father and lieutenant-general already mentioned asked them if the father who had been there with them had done them any harm, or was not good, they replied that he had not done them any harm at all, and that if he wished to come there and remain with them they would not hurt him; but that they did not want a pueblo, nor to be Christians, nor to be separated from their children. The latter, having received the water of holy baptism, might, perhaps, after they were grown up, become Christians and ask for a pueblo. When the reverend father vice-custodian asked them whether they desired that the father who had been with them should remain to show them the way to heaven, as well as many other questions, showing much zeal in the service of both Majesties, they replied that they now say what they said at the beginning, namely, that they do not desire a pueblo, nor have they ever asked for it; they wish to live as they have for many years, in friendship and intercourse with the Spaniards, and also, under such conditions, their children might some day be Christians and might wish to ask for a father to teach them and for a pueblo in which to live. They themselves knew nothing and for what was given to them they handed over their children to have their heads washed with the water of baptism, and for no other reason.

²⁷⁵ A copy of this document was not included in the Bandelier Collection; the present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 1107-1123).

The father who was there was a poor man, who gave them nothing, but Reverend Father Menchero gave them a great deal.

The Indians of El Encinal, being all assembled with their chief Fernando, replied to the promptings and questions of the reverend father vice-custodian, which were many and searching, first in the same way as those of La Cebolleta. They added besides that they had not been given all that Father Menchero had promised them, which included many mares, horses, mules, cows, and sheep, and clothing; and that perhaps because it had not been given to them, this father and this captain had now come to question them. But Father Menchero and the governor, whom they knew, had not come, and they did not know these others. When the father and the lieutenant told them that they were sent by the government to see them and speak with all the people to persuade them to build their pueblo in a good place, with many other things, Fernando and others replied: "May God reward you, but we said that we did not wish to be in pueblos, nor to be Christian." They said that when the women bore children they might have the water put on them; but they must live with them [the parents], and not go to see the father, and when they grew up perhaps they would wish to live like the Indians of Acoma and others. After the talk was over, the interpreter said: "Father and señor lieutenant, these people are deceiving you, to see what they can get, for never in their lives will they be Christians; there are my mother and sister, and I have never been able to persuade them to come with me, although I have told them many things."

This is all that the deponent heard in the two meetings, and it is the truth, under the oath that he gave. His declaration having been read to him, he affirmed and ratified it. He is forty years of age. The said lieutenant signed it with me and the witnesses present, as has been said, to which I attest. PEDRO ROMERO. BERNARDO ANTONIO BUSTAMENTE Y TAGLE, *juez receptor*. JOSÉ MANUEL DE SANTA BÁRBARA Y TRIGO. JUAN MIGUEL ÁLVAREZ DEL CASTILLO.

Immediately, on the said day, month, and year, I, the aforesaid lieutenant-general, Don Bernardo Antonio Bustamante y Tagle, for the better proof and justification that is asked for in the writing of the reverend father preacher emeritus, Fray Manuel de San [Juan] Nepomuceno y Trigo, vice-custodian of these missions of New Mexico, caused to appear before me the lieutenant and *alcalde mayor* of the pueblo of Nuestra Señora de Guadalupe [de Zuñi], Don Ignacio de la Barrida, from whom I received the oath, made before God, our Lord, and the sign of the cross, in proper legal form, under which he promised to speak the truth as to what he heard the Apaches of the pueblo of La Cebolleta and Encinal say in the two meetings that were held at the said places on the 16th and 17th of the current month, in which were assembled all the people, including the chiefs, young men, women, and children. In these meetings the reverend father and the lieutenant-general took part, instructing the Indians in words of much warmth and tenderness, for the good of their souls, and telling them that they had come for the sole object of leaving them in peaceful and quiet possession of their pueblos, in the best places. When

they asked them where they wished to build their pueblos, so that all might join together there with the father, they replied that they did not want a father or a pueblo, and that they had said this same thing from the very beginning to Father Menchero—that they were grown up, and had been raised like deer, moving from one place to another, but that they would give some of the children, because they had asked for them in order to put water on them, and for no other purpose. When the children grew up perhaps they would live as they had always lived, being friends of the Spaniards and trading with them. When the reverend father and lieutenant-general told them that if the father who was with them was bad and severe they would replace him by another whom they would love very much, or if not, his reverence would remain and sacrifice his life for them in order to teach and save them, they replied that they had never wished to be Christians, but that they gave their children because Father Menchero paid them, and that they had said this the first time and always had said it; and that the father who was with them had never harmed them.

Various ones made the same statement, and Don Fernando, he of El Encinal, said, besides, that Father Menchero had promised them mares, horses, mules, cows, many sheep, and clothing, but had not given them anything; that perhaps he deceived them, and for that reason he did not come now, but another father came whom he did not know, and another Spanish captain. Fernando asked whether he [Father Menchero] was dead, and being told that he was not, he said he would go to see him, and so the matter rested. The interpreter said: "Father and señor lieutenant, these are my people, and I know them well, and if they say yes to-day for what may be given them, to-morrow they will say no, and they never will be Christians. My mother and sister are here, and I have made great efforts to save them and take them with me, but they say they do not wish to do it." All the above is true, under the oath that I have made, for I heard it all. His declaration having been read to him, *de verbo ad verbum*, he affirmed and ratified it as the truth. He is forty-eight years of age, and he did not sign it because he did not know how. I, the said lieutenant, signed it as *receptoría*, with the assisting witnesses, with whom I perform my legal acts for want of a clerk, since there is none in this kingdom, to which I attest. BERNARDO ANTONIO BUSTAMANTE Y TAGLE, *juez receptor*. JUAN MIGUEL ÁLVAREZ DEL CASTILLO. JOSÉ MANUEL DE SANTA BÁRBARA TRIGO.

On the same day, month, and year, in the aforesaid pueblo and mission of San Estevan de Ácoma, I, the said lieutenant-general and *juez comisario* for Don Tomás Vélez Gachupín, governor and captain-general of this kingdom for his Majesty, in fulfillment of the request made in the writing presented by the reverend father and preacher emeritus, Fray Manuel de San Juan Nepomuceno y Trigo, vice-custodian of these missions, which precedes this report, and in accordance with the extortative letter which is the first measure of the said governor [in pursuance thereof], affirm that the three declarations are true, nothing being added to or taken from them, for I heard the said Apaches and was present at the

meeting. I urged them with great vigor and earnestness to abandon their errors [and accept the] holy Catholic faith and [give] obedience to the king, but I could not secure from them anything more than that which is given in the above testimony, to which I certify in the proper form as being the whole truth. And so that the aforesaid reverend father vice-custodian, Fray Manuel de San Juan Nepomuceno y Trigo, may satisfy his prelates I gave him this paper, on petition of his reverence, attesting to all the documents made out by me, and taking a certified copy of them, in order to place it in the archives of this government. I signed it with the witnesses present, with whom I perform my legal acts as *receptoría* for want of a public or royal clerk, since there is none in this kingdom, to which I attest. BERNARDO ANTONIO DE BUSTAMANTE Y TAGLE, *receptor*. JOSÉ MANUEL DE SANTA BÁRBARA Y TRIGO. JUAN MIGUEL ÁLVARES DEL CASTILLO.

*Report of the Reverend Father Provincial of the Province of El Santo Evangelio*²⁷⁶ to the Most Excellent Señor Viceroy.²⁷⁷ [Convent of San Francisco, March, 1750]

At the time when Don Juan Antonio de Ornedal y Maza went with certain commissions of your Excellency from the royal presidio of El Paso to the province of New Mexico, he sent you a report on the wretched state in which he says he found the missions of the said province, saying that he was moved to do it by the constant complaints of the reduced Indians in them. He reported also on the unnecessary number of ministers whom his Majesty is paying in the *custodia* of that kingdom. Your Excellency, in a letter of December 15 of the year just past, was pleased to order that a certified copy of it [the report] should be placed in my hands, and even though I might ask your eminence to reject it because of the incompetence of Don Juan Antonio de Ornedal in the matter, it has seemed to me that I ought to reply to it, more to give an answer to your Excellency than to the report itself, and to overcome any impression that may be given by its coming in the guise of zeal for the service of both Majesties.

I might ask your eminent Excellency to reject the report because of the incompetence of Don Juan Antonio de Ornedal, for I do not consider that he has any qualification to make it beyond that of a mere voluntary informer, and that as such he is destitute of the knowledge and reliability that he should have in order not to incur the imputation of being a careless and precipitate person, or one led by some hidden feeling that keeps his private aims and purposes covered up. (I assure your respected eminent Excellency that in whatever I say in this, my reply, my purpose

²⁷⁶ The province of El Santo Evangelio (province of the Holy Evangel) "was founded by the Franciscan Order, originally as a *custodia*, at the City of Mexico in 1524. . . . The Provincia del Santo Evangélio was of such importance during the second quarter of the sixteenth century that the provinces of Peru and Guatemala, as well as of Cuba and Florida, were under its jurisdiction. . . ." C. F. Lummis, note on the province of the Holy Evangel, in Ayer, *Memorial of . . . Benavides*, pp. 195-196.

²⁷⁷ A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 27).

is not to harm or discountenance Don Juan Antonio de Ornedal, but to defend the honor of my Order, the proceedings of the missionary fathers, and the laudable state in which those missions are, whatever he may say about their wretchedness.) Indeed, Don Juan Antonio admits this when he says that in making his report he omits the judicial proceedings which ought to be taken in connection with the matter, in order not to thrust himself into a jurisdiction in which he has no authority.

The report had its origin in or he took it from the loud and constant complaints which Don Juan Antonio de Ornedal says were made by the Indians reduced in those missions. This in itself is an indication, most excellent Sir, that they now know how to lament and complain in a language, or idiom, in which their laments may be understood and comprehended, and that they do not now express themselves by shouts or complain in their own crude language—an observation that I have noted down in this passage for comparison with another in which the denouncer, or informer, represents our Indians to be so mute in Castilian that in order to administer the sacrament of penitence to them it is necessary to make use of an interpreter in their own tongue. He does not mention any particular one of these constant laments, or their subject or purport, which it seems would be necessary in order to form a judgment or plan for replying to them, unless their matter be contained in the course of the report, in which case I shall give in this, for my justification, the corresponding answers.

The said complaints, and the more particular information that Don Juan Antonio says he has been able to secure from persons of the greatest distinction, and has received while carrying out his commissions, have moved him and given him the material to make his report. In it he lets it be understood that if your Excellency had been informed of these things before, the Indians would have had the protection that such recent conversions have the right to expect, and would have received the consolation which they lack, in view of the negligence with which the spiritual workers in the missions that are charged with their care are conducting and have conducted themselves. In order to bring the matter to his attention, even the natives themselves were moved to make to him various verbal complaints, believing that in him they would find some relief from the almost total neglect that they suffer from the religious, who fail to give them spiritual food. Notwithstanding that it is only [the ceremony] of the mass from which the Indians derive benefit, they allow months to pass without their hearing it, those ministers not heeding the fact that it is ordered by the royal law of the Indies that they cannot, nor have they the right, to take the stipend for the time that they remain away, for his Majesty granted it for the benefit of the churches themselves in the pueblos where they live. As a remedy for this condition, notwithstanding that the new governor has applied that which seemed right to him—namely, ordering that it should be the duty of the *alcaldes mayores* to inform him of the time that they [the ministers] remain away to trade in the various articles produced by the territory—it appears to the informant that your Excellency, in the light of this information, may adopt other measures which he regards as more effective.

This, most excellent Sir, is the first point or article of the report of Don Juan de Ornedal, its contents being made up (and for this reason I have repeated it almost literally) of the laments and complaints of the Indians; of the more particular information that he has been able to secure from persons of the greatest distinction; and of what he has learned from the new governor. What the complaints are, or to what mission or missions the Indians who are lamenting and complaining belong, the informant does not state; nor does he tell who are the persons of the greatest distinction from whom he has been able to secure the more particular information. If he would so state, one might discover his purpose, motive or passion, for of the only person that he names, who is the new governor, more will be said in the proper place. Such general and vague testimony by persons not stated, designated, or named, never has merited respect or belief, for such persons may be nobody, and even what they say as witnesses is not given under the sacred bond and obligation of the oath.

The particular information that Don Juan de Ornedal says he has been able to secure must come through inquiry, and such inquiry appertains solely to the examining judge. And since he [Ornedal] made the inquiry, it is not only an indication of his prejudice against the missionary religious, but also that he did not know or have any acquaintance with what takes place in those missions. It was for this reason that I remarked at the beginning of this, my reply, that I could request your eminent Excellency to reject the report because of the incompetence of Don Juan Antonio de Ornedal, as I do not consider that he has any other qualification to make it than that of a mere voluntary informer, destitute of the knowledge that he ought to have for that purpose. I now add here that his report or denunciation was based upon information that he secured by inquiries; therefore, if his endeavor was to find some persons disaffected with the missionary religious, perhaps because they would suit his purpose in what he was trying to do—his action being illegal—or some other person whom the prelate had corrected or attempted to correct, the said particular information would be as live coals issuing from the hand of the informant, those who participated in giving it thereby gratifying their passion for revenge.

It is thus made clear that these notices will contain little of truth, disinterestedness, or legality, being motivated by the hatred, anger, or vengeance of those who took this opportunity for fabricating and publishing them; and Don Juan Antonio de Ornedal, in his great desire to inquire and learn about the missionary religious, at once gave credit and belief to these notices in order to make a report. It would be better, most excellent Sir, if he would understand that whoever readily believes accusations against ministers is in danger of having his guilelessness imposed upon. And if even in the judgment of the *visita*, which is in itself rigorous and irregular, it is not held to be right or just that the judge shall add to it new comments or instigations or plans to make it more odious and rigorous, nor that opportunity shall be given or doors opened to wicked men or enemies of the syndicates, so that by secret and hidden depositions,

or, better said, by false testimony, they may injure and affront them—especially as those who accuse in secret are more diffuse and unbridled than those who make their declarations in public, since there are many who fear for their reputation but few that dwell on conscience—so much the less was it right for Don Juan de Ornedal to make inquiries concerning the state of those missions and the actions and lives of the missionary religious, since he had no motive, obligation, or power to make the inquiry or take upon himself an occupation that does not concern him, neglecting the duties of his commissions. If he did so he failed to fulfill his obligation, and if he did not neglect his duties one cannot comprehend when he could have made the inquiry, and held so many consultations as his report or declaration represents and the contents of this my reply will set forth.

The first point or article referred to is reduced to “the almost total neglect which the Indians suffer from the religious, who fail them in spiritual aliment, even that of the mass, which is the only one that they have, for they pass entire months without hearing it,” making it understood that the cause is the absence of the religious, who remain outside of their missions to trade in the various articles produced by the territory.

This accusation, most excellent Sir, is as vague as it is untrue, and the opposite is very probable, for the care and zeal with which my sacred Order attends to and watches over those missions results in its keeping in the province of New Mexico very spiritual religious, well known and experienced. Among those who are there at present are the father custodian, Fray Andrés Varo, the father preachers, Fray Pedro Pino, Fray Manuel Bermejo, Fray Miguel Calluela, Fray Joseph Orquizo, Fray Carlos Delgado, Fray Joseph Tello, the superannuated Fray Marcelino Alburu, and Fray Antonio Roa, all religious of exemplary lives and Christian morals, and if this be investigated nothing to the contrary will be discovered. It is not to be believed, most excellent Sir, that either these religious or the other workers who have gone to this province, being accustomed to lead a virtuous life and to repair each day to the consecrated stones of the altar, would go away and withdraw themselves to such an extent that, contrary to their custom, they would allow months to pass without saying mass, to the scandal of the public.

Now and then one or another missionary is in the habit of leaving the mission under his charge, as, for instance, when the governor finds it necessary to go out on a campaign, or when some squadron of soldiers and citizens go in pursuit of enemies who have committed robberies or other hostilities of the sort. At such times the governor makes an agreement with the father custodian, and the latter names the religious who is to go with the troops to say mass for them and attend to them in spiritual matters, but at the same time the father custodian places the care and support of the Indians of that mission in the hands of the nearest missionary. This is also done when any religious has a proper and legitimate reason for leaving his mission, which is previously authorized and decided. Without such authorization and judgment no missionary will leave his mission, and it is an incredible thing that the father custodian

should allow and give leave and permission to the religious to go away and leave his mission deserted, while he absents himself for the sake of the various sorts of trading offered by the territory, as the informant says. This other point, if it also be investigated or an attempt be made to prove it, will be decided in favor of the father custodians and the missionaries, and as the matter of trading which the informant gives as the reason for the absence of the religious is the fourth point in his report, I shall treat of it in that order.

The second [charge] he sets down as the result of the first, saying that from what is stated therein comes the fact that the Indians do not learn the Castilian language, although it is provided by the law that it shall be taught to them; and that the missionaries do not apply themselves to learning the mother tongue of the Indians, which would be the easy method for instructing them in the mysteries of our holy faith and for the administration of the sacraments; and that it is only at the point of death that the sacrament of penitence is administered to them, and then by means of an interpreter, and that it is never given in health at any mission; and that neither is there to be found any worker conversant with their various languages. He states in proof of this last point that in all the years of the conquest and reconquest there has never been one among the missionaries who has applied himself to writing a vocabulary in any one of the many and diverse tongues which are spoken in that kingdom, and the informant asserts that if there are to be found three among the children who understand it [Spanish], it is a cause for wonderment and congratulation, of which he has no personal information. The only reason for this state of affairs that he has been able to discover, which is common knowledge and the general opinion of all, is that it has not been the custom to give notice to the governors of the absence of the ministers, although they ought to be informed by the custodians at the time of any change made at the missions through death or the removal of any religious, and of the reasons for it, whether it be a removal or exchange. If the governor held the reasons to be sufficient he could give his consent, so that in this manner, being also informed of the character of the minister, and of whether the change was made because of a death, he could issue a warrant for its confirmation, and he would thus have exact knowledge of the persons who occupied and were in actual exercise of the offices. However, as it happens that heretofore the custodians have not carried out this rule for the better government of the missions, but have made all arrangements according to their own will, without paying any attention to the fact that those governors enjoy the royal patronage, whenever a religious begins to understand the language of the natives of a mission, they remove him to another and provide the mission with a different person, to whom the language is new and who needs some years in which to understand it and many more to [be able to] speak it, if by chance such a thing comes to pass, etc.

It now appears, most excellent Sir, that we are coming to the spool on which the thread is wound. I remind your Excellency here (although you must know it well) that Don Tomás Vélez Cachupín, governor for his

Majesty of the province of Santa Fé and captain-general of New Mexico, attempted, on the occasions of the removal of religious from one mission to another, or of the placing of new ones, to prevent the father custodians from doing it without first presenting the religious to his government, with a statement of their fitness; and if it were an exchange they were to state the cause, reasons, and motives, so that if he held them to be sufficient their respective warrants of approval might be issued to them by virtue of the royal patronage and jurisdiction conferred upon him by the royal law. For this purpose the governor wrote a letter to Father Fray Juan Joseph Pérez de Mirabel, custodian of the mission of San Juan de los Caballeros, telling him that directly after he took possession of his government the father preacher, Fray Francisco de la Concepción Gonzales, presented himself there and asked public satisfaction for various grievances that he had suffered, among them being that while he was instructor at the mission of Nambé, he was removed by the custodian by virtue of an order from Fray Juan Fogueras, the royal father commissary, to another mission at La Junta de los Ríos, distant more than three hundred leagues from the capital; and that since, according to the provisions of the royal law of this kingdom, the execution of this measure ought to have been preceded by legal notice to the governor, his predecessor, as vice-patron, of the causes and reasons for this removal, so that if he found them sufficient he could give his permission for it, he had been surprised not to find such an instrument in that archive, or any other of a like nature. On the contrary, from what he had learned, these transfers had been made by the said father custodian and his predecessors so arbitrarily that, in usurpation of the jurisdiction of the royal patronage, they had taken place only with the authority inferred from the *obediencia*. It being his distinct obligation to put a check to the pernicious results that might arise, by authority of the royal patronage that resides in that government and having before him the order of the said reverend father commissary, Fray Juan Fogueras, by virtue of which the aforesaid Father Fray Francisco de la Concepción Gonzales was removed, he had directed that an *auto* be issued ordering that a letter be written to him [Fray Mirabel] telling him to send the original order mentioned, and informing the said father custodian that in case of refusal he would use the most efficacious means to induce him to present it or make a statement to show what powers the prelates of that *custodia* have to make transfers without first informing the vice-patron and obtaining his consent; and warning him that whenever circumstances made it necessary to remove any missionary or to station one anew in any mission, neither he nor his successors should do so without notifying that government and proposing the religious with a statement of his fitness. If it were a case of exchanging one religious for another, the cause, reason, and motive for so doing should be stated, so that if they were held to be sufficient, he [the governor] might issue to them their respective warrants of approval, in conformity with the law of royal patronage.

As the subject of this letter and the purpose of the governor were as foreign and strange to his office and his powers as his imaginary royal

patronage in the control of missions and missionaries was distant from them—for the nomination is granted only to the prelates—I present to your eminent Excellency the aforesaid letter of the father *procurador* of the provinces of this New Spain with the representation that he made in justification of it. It includes a statement from a royal cedula, dated on the envelope at Madrid, September 24, 1688, which was issued as a result of his Majesty's having been informed on the part of the Order of Saint Francis of the province of Jalisco, in whose charge are the missions of Coahuila and Nayarit, that, notwithstanding the rule given in royal cédulas concerning what is to be observed by the bishops with regard to the religious whom they employ in missions and new conversions, Doctor Don Juan de Santiago de León Garabito, who was bishop of the cathedral church of the city of Guadalajara, endeavored to introduce in the said two conversions of Coahuila and Nayarit [the rule] that the religious who were caring for them should receive the collation²⁷⁸ and canonical benefice, considering that these conversions were new and at their very beginnings; it was requested that his Majesty be pleased to take measures for remedying this abuse.

This having been considered in the Council of the Indies, along with the report of the señor *fiscal*, it was resolved to issue the cited royal cedula, begging and charging the said reverend bishop, and those who should succeed him, that they leave the missionaries free to exercise their office as such in the missions, without being required to ask permission to do so, or for the collation or benefice of the bishop in order to administer the holy sacraments in the missions, or to do whatever else might seem necessary for the conversion of the heathen, and that on the contrary the bishop should give them all the encouragement and help that they might need; and that it was the royal will that the missions should operate under the direction of the regular prelates and their religious alone, without any one placing any obstacle or impediment in their way. The said father *procurador* requested, in order to prevent the innovation that the governor was attempting to introduce under the pretext of the royal law and royal patronage, and the injuries and difficulties that might result from his attempt, that your Excellency should issue an order directing that he abstain from and cease his proceedings, and that he transmit to this superior government the original *autos* that were formed in the matter, and that he should not prevent that religious, Fray Francisco de la Concepción Gonzales, whom he held in his palace, from being taken away by his prelate. Inasmuch as the informant, in the second point or article of his report or accusation, now makes the same statement, in the same terms, as Governor Don Tomás Vélez Cachupín wrote in his letter to the father custodian of the mission of San Juan de los Caballeros, what can I say, most excellent Sir, except that the anger of the said governor, engendered by his having conceived that he ought to have the same powers that he imagined were [vested] in the father custodians, missionaries, and missions, manifests itself through the report of Don Juan Antonio de

²⁷⁸ *Colación*, act of bestowing an ecclesiastical benefice.

Ornedal? Yet the latter tells us that he was moved to make his report by the laments and complaints of the Indians, and other exaggerations. It is our belief and conviction that it was dictated by the anger of that governor and of the person sheltered in his palace; and since the report comes from such a cause and origin, it will not merit in your Excellency's mind the same consideration as it would have if it came free of such passion and through simple Catholic zeal.

Don Juan de Ornedal brings, moreover, as proof of this point (that the Indians are not taught the Castilian language and that the missionaries fail also to learn theirs) that in all these years there has been no one who applied himself to writing a vocabulary in any one of the many and diverse tongues that are spoken in that kingdom.

If this statement of Ornedal were a proof of the ignorance of the missionaries in these languages, it would be universal proof of the ignorance of all the curates and missionaries of all these kingdoms, for up to the present it is not known that any vocabulary has been compiled, or any other book written upon those languages and how they are spoken, except a small pamphlet that was prepared and written upon the Mexican language, under the title of *Farol Indiano*, by an Augustinian religious²⁷⁹ who was a professor in the royal university of this court. It is certain and undeniable that neither has any vocabulary been written of the Mazagua, Chocha, Zapoteca, Chinanteca, Matlazinga, and other existing languages; and if this lack is considered a proof of ignorance, we shall say that there is no curate or missionary whatever who knows the language of his parishioners, and that all administer the sacrament of penitence through an interpreter. If the informant would reflect upon what he says he would see that this is striking at the consciences of the señores bishops, who, as chief curates, transfer their duty to the parish rectors, and it would be accusing them of overlooking such a grave defect in their visits.

Don Juan Antonio de Ornedal attempts to place on an equality with this ignorance that of the Indians in the Castilian language, but in the very assertion he destroys what he affirms. It is a strange thing that there should be interpreters of the languages and that they alone should be acquainted with Castilian, and that there should be no other Indians besides those who serve as interpreters who would learn it; and it is strange that they know how to speak in Castilian to Don Juan de Ornedal, for otherwise he would not understand their complaints and laments, and an interpreter would be necessary to tell of them. It is surprising that he should assert that if there are three among the missionary religious who know the language it is saying a great deal, for in order to learn this it would be necessary for Don Juan de Ornedal to know it [the language], and besides knowing it, to have examined the missionaries and found out that the others do not know it. Finally, if these accusations were true, the religious would not only not be Christians, but worse than barbarous heathen, for, being nominally Christians, they would be living without

²⁷⁹ Reference is to Fray Manuel Pérez, *Farol Indiano, y Guía de Curas de Indios* . . . (Mexico, 1713).

saying mass or administering the holy sacraments, forgetting their obligations, the life eternal, and the salvation of their souls. To make ourselves believe this accusation it would be necessary to erase the memory of the many religious who have sacrificed their lives for the conversion of those barbarians, at their cruel hands, but it would not be easy to forget this circumstance, for it has been imprinted with the blood that they have shed. This is a point on which I might speak more at length if it were not so well known, and if I were not unwilling to prolong my reply.

The third point of the report is a confirmation of what I have already said in the preceding—that is, that the accusation was dictated by the governor and born of his anger—for in it he now refers to acts done and that were to have been done by the aforesaid [governor]. This point, then, is reduced by Don Juan Antonio de Ornedal to the accusation that besides being burdened with planting for the missionaries the fields of corn and wheat that the Indians themselves consider sufficient for them, or even more than enough for their support, even putting the grain in their houses or granaries, the Indians of those missions [must also submit to] the religious searching their houses, with full immunity, and taking from them by force the grain that they have stored there to support themselves and their families. The missionaries do not spare even their sheep, which, in order to save their own, they take from them. They compel the Indians also to weave the wool and cotton without paying them for their work, which is proved by the recent complaints made to the new governor by the Indians of Ácoma, and he took the step of exchanging the minister of this mission with the one at that called Galisteo, in order to give satisfaction to the Indians for the injuries and burdens of which they complained. The same step was taken when the *alcalde mayor* of Sia attempted to escape other similar burdensome services. According to this rash informant, he passes over other points in silence, being convinced that the new governor will give an account of everything to your Excellency, and he declares that he will verbally make known his superior justification so that the proper remedy may be applied. This report that he promises will be given to your Excellency by the new governor, and the step that the latter took in changing the religious from one mission to another, clearly prove the assertion that the report is dictated by the anger of the governor or that it arises from a conspiracy between him and Don Juan de Ornedal, for otherwise he could not give information as to what was done or to be done by the governor.

The missionary religious, since they entered those provinces, not only have labored and are laboring in teaching and instructing the Indians in our holy Catholic faith and the spiritual life, but also in things for maintaining corporal life, teaching them to cultivate the land, to plant fruits, and to harvest their crops, the religious going so far as to take the plough in their own hands, so that the Indians may learn more easily. Since those early times the Indians have observed the custom of planting a field which they call the father's, which they took upon themselves voluntarily, and which was very useful and advantageous to the Indians themselves, for unless they had made this planting they would not have done their

own, as their indolence and little or no inclination for work will lead them to perish of their own will, and it seems that the one planting accustoms, disposes, and prepares them for the other. For that which they do for the missionary religious the Indians have the recompense of not having to pay any charges on account of their administration, and the poor missionary religious, unless he had, not an over-supply of corn and wheat, as the informant says, but only what is necessary, and a small flock of lambs, would not have the minimum indispensable for his support. From this, much good results to the Indians, in spiritual matters as well as in corporal; in the first because, being diverted by work, they are removed from idleness and the many sins that they would commit or vices to which they would abandon themselves, for that same idleness is the mother of all, and experience has shown that when the Indians are without work to divert them they go to the mountains to hunt, a place where the common enemy reminds them of their former life. It is indeed so voluntary in the Indians to make that planting that they call the father's, and, so much to their pleasure, that when a missionary religious, wishing to relieve them of the labor that he, with the scruples of his delicate and strict conscience, considered that they performed therein, called them to the convent and told them not to plant it, but that each one might bring him voluntarily from his own harvest whatever he wished for his necessary support, he could not persuade them to leave off planting it, they giving as a reason that when the missionary religious have corn from the field that they [the Indians] plant, and they have none themselves they apply to the fathers for provisions to relieve their necessity. Thus it is that they receive from the religious spiritual and temporal aid. Your Excellency therefore will understand that it is not credible that the religious search the Indian huts and take their harvests and their lambs from them by force; if the religious had attempted such a thing the Indians would have turned into ravening wolves, and would have made an end of the missionaries, for they do not permit any one to take their own from them. In self defense they would have lost the respect due the religious and would never have planted the field that they plant for them with such pleasure and good will. It should also be noted that not all the Indians of the mission are occupied in the planting of the aforesaid field, but only those necessary for a small plot of land which is given to each mission and missionary, and that during the time that they are so occupied they are given their food.

And so that it may not be thought that the missionary does not need the said planting, being supplied with the necessities for his support with the three or four hundred pesos of the synod, or allowance, that is given to them by his Majesty, I present for your Excellency's discriminating consideration the fact that the allowance goes from this city in the form of the things that they need—such as habits, handkerchiefs, underclothing, sandals, prayer books, breviaries for those who ask for them, and chocolate, which is sent to them in an amount sufficient for a year, for although it would not be impossible to find in New Mexico what they need, it would be at such high prices that even with four allowances the religious would not have enough with which to provide himself. It is to be considered also that Don Juan de Ornedal, while he was inquiring and learning so much

about the missionaries in order to report upon them, did not find out about the troubles and discomforts that they experience and suffer, of which God and they know the degree and extent.

The informant, having asserted that the religious take from the Indians their corn and lambs, announces afterwards that unless religious of virtue and example are sent to those missions to administer them, the Indians will go to their heathen neighbors, as they have no property which would compel them to remain. The entire aliment of the Indians is maize, which they plant on their own lands; and the lambs must have parent sheep for their procreation; these cattle and this grain are for the Indians the principal property that they can acquire, and they must therefore have that which the informant considers necessary to detain them. But, as he fails in consistency in his entire report, it was inevitable that it should contradict itself.

As the poor missionary religious has no more than a very small flock of sheep for his necessary use, the product from the wool must be correspondingly small; and money to buy cotton for the immense works that are so exaggerated by the informant, they have not, so that the material for them must be lacking. Therefore it must be contrary to all truth to report that for the aforesaid reason the Indians of Ácoma complained to the governor and that he moved the religious who was there to Galisteo and the one of Galisteo to the other mission [Ácoma], for the one who moved them was the father custodian. As to the other burdens that the informant says the *alcalde mayor* of Sia attempted to escape, he does not say who the religious was that imposed them or desired to introduce them; although, as he is aiming to slander them all, it is not of much consequence that no one should be singled out. He says, moreover, that most of the religious who cannot be controlled by their prelates are sent to those missions, and that they assign them to that province as a banishment and punishment, while the method that the superiors have of correcting the religious is, on the contrary, placing them in the greatest seclusion; and they know very well that for the increase and cultivation of those recent conversions it is necessary to have religious of spirit who are suited to the purpose, and when they find one with the necessary qualities he is the one whom they send. I assure your Excellency, in regard to what has been reported on this point, that I have papers to disprove it, which, if it is necessary, will be presented.

The passion of the report rises higher and higher, and in the fourth point Don Juan de Ornedal asserts that the lack of consideration with which the religious regard their sacred calling reaches such a point that, just as though they were seculars, they engage publicly in trading, among themselves and the Indians, in such goods as the country affords, giving articles that they are able to obtain in exchange for those that are produced in the province. He states, further, that not being content with the cloth of wool and cotton that they [the Indians] weave for them, refusing to spare them even the little that they are able to make for clothing themselves and their families, when it happens that through some accident the Indians cannot satisfy them, the religious arbitrarily take from them in

payment, after annoying and worrying them, the buffalo skins that they obtain for sheltering themselves, and the buckskins that they sell and give away among each other, taking the first one that they find. He says, concerning this and the other points that he has stated, that if the road were passable, complaints of this nature would often reach this *capitanía-general*, for if the Indians make them to the governors, they receive such threats of whippings and other punishments from their ministers that, being quite repressed and terrified, they do not dare to show what they suffer.

Now and then the Indians kill a deer or buffalo, [the skins of] which they use for clothing, and there is an abundance of the skins of these animals when the Comanche Indians and other heathen nations bring them to the annual fair; and at that time not only the Indians but also the rest of the inhabitants provided themselves with them. This being so, how can the evil exist as reported by Ornedal? The evidence that he says he has unearthed, and of which he has been able to form a positive opinion through other previous reports that he has of complaints made by various missionaries, is to the effect that they are perishing, and that their salaries, which are punctually and regularly paid by the piety of his Majesty, arrive so curtailed and lessened that they are left in almost as much want as before. Therefore he is not surprised that they should do as he has stated, for the clamor that they make about their poverty is evident and undoubted. He suggests, in order that the Indians shall not suffer or the religious cause scandals, and so that the latter may receive their pay, or stipend, in full, that it shall be distributed with the assistance and intervention of the governors of that kingdom. They should be required to give account to this *capitanía-general* of the order or disorder of the statements, for the informant understands, from the demands upon those allowances, what difficulty there may be in properly carrying out the superior measures that your Excellency may adopt in this matter, and in accomplishing the purposes toward which they may be directed.

Even though the informant may have gone to those provinces with his special commissions, it would have been necessary for him to have had time for all the things that he leads us to suppose that he saw, learned, and experienced, even to discovering the underlying causes of the things that he presents in his report. But, as the denunciation was dictated by a blind passion, so also has been the report, without opening its eyes to the truth that it was seeking, and in its inconsistency it sometimes represents the religious as being rich in goods, trade, and commerce, and at other times as being in the direst want, and the complaints that they make of their poverty as being true and undoubted.

In order for the informant to have discovered that the cause of the necessities and poverty of the missionaries lies in the fact that their salaries reach them curtailed and reduced, it would have been necessary for him to have seen and examined what was remitted to them, and their own statements. I do not know that he made or could have made such an examination, nor do I believe that the missionary religious would permit it, nor that they would endure their necessities without appealing for

remedy and relief to their superiors, although the informant says that various complaints have been made by different missionaries who are suffering.

The fifth point of the report is that, since the missions of that villa [Santa Fé] and of that of El Paso del Río del Norte—a presidio in the jurisdiction of the province of New Mexico—are now strong and well established, producing more than enough surplus for the support of one or more religious, it seems that the time has come when they can be made into secular curacies [*curatos colados*]. He is informed that the obventions in that villa [Santa Fé] exceed two thousand pesos, including what is produced by the *pie de altar*,²⁸⁰ which is given annually by the [presidial] company, and that the revenue of El Paso amounts to almost 2,500 pesos, and he is of the opinion that it would be a very good thing if your Excellency, by way of confirmation, would take the necessary measures to have a strictly secret report made upon this matter by the governor of that capital and the captain of El Paso, who will soon find what he states to be true. He does not doubt that the *real hacienda* will be relieved by the amount of four stipends, which are those that are now paid to two religious in each of the aforesaid administrations, especially as the bishop of Durango has placed in each one of the said missions an ecclesiastical judge, who, with the curate that is given the benefice, make two priests, who are sufficient for the administration. In the interval while these measures are being carried out, your Excellency could allot an appointment to the other two religious who are superfluous. In that villa [Santa Fé] Reverend Fathers Urquijo and Zambrano are being maintained, and at El Paso Fathers Trigo and Guzmán, whose missions have quite a large number of Spaniards and white parishioners.

At the beginning of this article the informant speaks in general of the missions of that villa [Santa Fé] and of that of El Paso del Río del Norte, which he says are fit and ready to be formed into secular curacies; but afterwards he limits and restricts the general statement to the missions of the said villa and to that of El Paso. The foundation of his statement concerning the fitness and readiness of these missions is in information received (from whom and how he does not say), and the information is that the missions of the said villa have an income in excess of two thousand pesos, including the proceeds of the *pie de altar* which is given annually by the [presidial] company, and that the income from El Paso amounts to 2,500 pesos. I will say that he is very ill-informed, and that his report runs counter to the very fitness and readiness that he speaks of.

The surest and most reliable report on the matter and the most accurate information about it would come from an examination of the books of the missionaries of the villa of Santa Fé, to ascertain from them whether their collections exceed two thousand pesos and whether those of El Paso reach 2,500, in order not to be misled or to accept carelessly the information that he received, or to report upon it in a like manner, and superficially.

²⁸⁰ The *pie de altar* is defined in the second following paragraph of this document.

What is called the *pie de altar* appertains to the income of the curate, and it is composed of the brotherhood, memorial, and anniversary mass funds, which produce a certain revenue, but that given by the company of the presidios is not certain, since it is composed of very incidental obventions, and, moreover, they belong to the curate or chaplain of the presidios, and not to the missionaries, who minister to the Indians without any income or revenue whatever, and if the companies of the two presidios produce any, it will be for the ecclesiastical judges placed there by the bishop. Therefore, since the foundation of this point is destroyed, its entire content will accordingly be invalid.

In the sixth, seventh, eighth, ninth, and tenth points, which follow, the informant proposes to your Excellency a measure for reducing the number of missionary religious, in order to save for the *real hacienda* the stipends with which it assists them.

In these five points Don Juan Antonio de Ornedal reports in the same superficial way as he does in the preceding ones, using in all of them as a ground for his argument the short distances that he believes to exist between the different missions. He proposes that those of Puxuque [*sic*], Tezuque, and Nambé, which are administered by three religious, shall be placed in charge of one alone; that the same shall be done at those of Ildefonso, Santa Clara, and San Juan de los Caballeros, two ministers to be abolished and the three missions to be left in the care of one; that those of Cochití, San Felipe, and Santo Domingo can be administered by one religious alone, releasing two; that the other three, Santa Ana, Sia, and Gemes [Jémez], can be placed under the charge of one religious, as can the two of Acoma and La Laguna; and that a lay religious, who, under pretext of being a surgeon, which he is not, or a schoolmaster, is maintained in the capital villa, can be relieved, since there is no necessity of supporting him at the expense of the royal funds.

If Don Juan de Ornedal traveled over the roads between the different missions it must have been by the *camino real* in a carriage or on horseback, and although in some parts it might be that the road would be found rough, in others it would be found smooth; he would pass over them by day, at his convenience, he would go with an escort to guard him, and, finally, he would go cursorily, making stops on the way to rest whenever he pleased, but not entering every mission; and it is for this reason that I say that his report in regard to the aforesaid points is also made superficially. Neither can he have taken into consideration that the missionary or missionaries have no certain hour or hours when they may be called upon to minister, but are likely to be called at any time, even on the days when they have to say mass. They are exposed to great danger and peril at all times, having to cross rivers in canoes and often at night, and at times when their waters are in flood and very rapid. He should have borne in mind these and many other considerations [in speaking of] this supposed facility, for while conceived in theory, [his measures] must be examined from a practical standpoint, and many difficulties are encountered.

When these missions were located, at the time of the conquest and reconquest of New Mexico, it is to be believed that the greatest care and

thought were given to the places where they were to be established, and that this duty would be entrusted by the most excellent señor viceroy who was then governing to persons of known zeal and integrity, who would not forget to save expense to the *real hacienda*. In order to bring about the conquest, reduction, and pacification [of the country] the necessary *juntas de guerra y hacienda* must have been held beforehand and the commander under whose care and direction were placed the execution of these measures and the establishment [of the missions] would have the parts and abilities necessary for an undertaking which was being conducted in the service of both Majesties, without any intervention by the religious in any of this or in the choice of the sites where the missions were placed, as the decision rested solely in the power and authority of the person or persons to whom the expedition was entrusted. It is also to be believed that in its execution they would not have proceeded carelessly, as did Don Juan Antonio de Ornedal, but that they would examine the sites with the greatest care and judgment, and that they would measure the distances between the different missions in such a way as to make their administration easy, or at least less difficult, so that the missionary religious, in their spiritual and temporal obligations, might help one another; and that when all had been so done, a report would be made to his Majesty and he would approve it, for up to the present no question has been raised in the matter. Against the aforesaid no report as superficial and unconsidered as that of Don Juan Antonio de Ornedal can have weight, and it is improbable and even incredible that it can arise from what he saw or thought; rather, as I have said at the beginning of this reply, it proceeds from the dictates of a blind passion.

In the second point he makes the statement that when a religious begins to understand the language of the natives of a mission they change him to another and provide it with a different person to whom the language spoken in it is unknown, and who requires several years to understand it and many more to speak it, and that this religious finds himself starting at the beginning, as though he had just entered the *custodia*. Thus the informant presumes that all the missions have different languages; and since he asserts, as a basis for what he says in the point mentioned that when a religious begins to understand the language of the mission they remove him to another where a different one is spoken, and that he requires many years to learn it, how can he now arrange in his proposed reduction that there shall be a religious who will understand and speak the different tongues of two or three missions reduced to one? Thus Ornedal destroys in this point what he has already said and asserted in others.

In the eleventh he states that in the presidio of El Paso it is well known that four religious are occupied in the missions of the Real de San Lorenzo, San Antonio de Senecú, La Isleta, and El Socorro, and that as the first is only one league distant from the second, and the others the same distance from each other, it is clear that they can be administered with only one religious, who appears to be enough. Afterwards he makes a statement of his proposed regulations, saying that if your Excellency will request a report from the captain of El Paso [you will find that] a secular ecclesiastic can be placed there as curate, who, with two assistants, could

administer the four missions. He says that the three would have a sufficient income on which to live, for the inhabitants of the pueblo of El Paso number three hundred and eighty-four families, those of San Lorenzo twelve, those of Zenecú thirteen, and those of Socorro forty-two, from whom the revenue is more than enough, and that if all were placed under one curate their support would be even more adequate. The revenue produced by the mission of El Paso in the year '48 exceeded four thousand pesos, as he was positively informed, and likewise, from the vineyards of the convents of the four missions sufficient grape juice is taken to make more than enough wine for gifts to the ministers and for the sacrament of the masses. The ministers also receive the first fruits of each garden that they have established, according to custom, even though it may be but half a *fanega* of wheat, corn, or beans, and each one collects in his district enough for the year's supply. From the grapes that are gathered in each orchard they receive the portion named, from which they make a great deal of wine and some *aguardiente*. To these circumstances is added the fact that the native parishioners of the pueblos mentioned are fully domesticated and inclined to speak Castilian, with which most of them are acquainted. [According to the informant,] not least to be considered is the great benefit that would result to the wretched Indian parishioners if they should be relieved of the unjust and heavy yoke of the extensive planting of grain and the cultivation of the land which is imposed upon them in the said missions, with greater excess in some than in others. Of this he has been informed with no less certainty, and it may be learned from the brief report that he found it advisable to receive from the lieutenants of the said pueblos, and which he sent in a separate packet with this, his report; he recommends it for your Excellency's consideration.

The informant shows himself to be no less inconsequent and contradictory in this point than in the others, again destroying with his statements the measures that he has proposed, for he desires that the four missions mentioned, San Lorenzo, San Antonio, La Isleta, and El Socorro, shall be reduced to one religious only for their administration, as a parish under three persons, that is to say, one secular curate with two assistants. According to the measurements of Don Juan Antonio de Ornedal, the distance from the first of the four missions to the last is four leagues—though it is clear from a closer examination that the said distance must be greater—and I do not understand how it could be possible, if there were only one religious to say mass and administer the sacraments, that he could walk eight leagues coming and going, if the occasion required him to go to the last mission and return to the first; for, if it were only a matter of going to say mass for the Indians at each mission, the morning would not be long enough. It would be, moreover, if not an impossible undertaking, an ill-considered and arduous one to gather the Indians in the church of one mission, for even in the parishes of this city it is difficult to collect them, and the efforts of the *fiscales* are not sufficient to do it. And if at the time of going to say mass at one mission it should happen that the missionary religious should be called to one or more of the others to receive confessions from sick persons, this being his most pressing duty,

he would have to leave his parishioners without mass; and these are not rare happenings, but very common. If different missions also should call for confessions at the same time, which likewise is a thing that occurs not seldom, but frequently, it might happen that even with the greatest efforts of the missionary religious one of the sick persons would not receive the confession, either because he would be dead by the time the confessor arrived, or unconscious and in the last agonies of death. These difficulties, which are encountered in actual practice, have not been considered by Don Juan Antonio de Ornedal in his proposed easy consolidation of the missions, nor by those who have given him information on such a serious and weighty subject. The Catholic Kings, in their Christian and pious zeal for souls, do not desire to save the royal funds at such expense to the spiritual welfare.

Up to this point I have spoken of what concerns the spiritual good of the Indians themselves, but it is also necessary to consider that of the missionary religious, who have souls and need their spiritual consolations. Speaking of them, the law of *Partida*²⁸¹ says that if any one is sent to a certain place other friars must go with him, as is ordered by the holy Church, to comfort him and give him strength to struggle with the devil, the world, and the flesh, which are the enemies of the soul, for he who lives alone is miserable. Don Juan de Ornedal, contrary to this precept of the Church, and against this disposition of the law, thinks that only one religious should be assigned to two or four missions, and when he advocates that they be erected into a curacy, that the curate shall have two ecclesiastics to help him. Is this, perchance, because the sackcloth worn by the religious is woven in a loom of less account? No, for it has always merited the greatest veneration and devotion, which the informant probably does not have for any one or for many [of the religious] in those provinces, nor does it please him that their missions shall be under the charge of the religious.

The reason or argument that Juan de Ornedal offers for his suggestion that the said four missions of San Lorenzo, San Antonio, La Isleta, and El Socorro can be formed into a curacy is that the curate and his two assistants would have a sufficient revenue, because the residents of the pueblo of El Paso number three hundred and eighty-four families, San Lorenzo twelve, Zenecú thirteen, and El Socorro forty-two, whose perquisites are more than enough, and if they were all reduced to one curate they would be still more adequate, since the income produced by the mission of El Paso alone in the year '48 exceeded four thousand pesos, as he was reliably informed.

Such reports by Don Juan de Ornedal cause surprise, most excellent Sir, in every point. It appears from them that he was sent, not for his special commissions, but to inquire into and investigate the operations of the religious and the state of those missions, and that the whole province believed that he came for this purpose, for the complaints and clamors of the Indians were made to him, he received the reports, measured the

²⁸¹ Reference is to the Castilian code, known as *Las Siete Partidas* of King Alfonso, the Wise, in the thirteenth century.

distances, counted exactly the precise number of families in each mission, examined into their products, and did and executed all the rest that is stated in his report. Also he proceeded (I do not know with what authority or jurisdiction, and in fact I do not believe that he had any) to receive information which he says he considered necessary from the lieutenants of the pueblos in regard to the extensive plantings which he says the Indians of those missions are forced to make. This appears impossible, for even though he had gone there for the purpose, as one infers, he could not have managed and accomplished it; and if he did not do it, as is to be believed, I must say that his report is nothing more than a hypocritical manifestation of some hidden and blind passion which it served like a blind man's guide, bringing it, stumbling along, without warning of the stones over which it is falling. I might very well, most excellent Sir, in order not to weary your Excellency further with this reply of mine, refer at this point to what I have already stated with regard to the establishment of the missions on the sites where they were placed and have remained until now without change, but as Don Juan de Ornedal has founded the rest of his report upon it [*i.e.*, the condition of the missions] I cannot pass it by, nor ignore the evidence that he has submitted, in order to prove his inconsistencies, contradictions, and contrarieties.

He reports that he has information that the obventions from three of the four missions are very liberal, and that they may come to 1,500 pesos, with which a secular parish could be established by favor of the sacred mitre of that bishopric, which cannot, except at the expense of its tithes, maintain a clergyman in its ecclesiastical court. I have already stated the real facts in regard to this matter of the obventions and the *pie de altar*, and therefore I do not repeat them here, where they appear to come in again; but I cannot omit inquiring, if the ecclesiastical judge cannot be supported except at the expense of the tithes of the bishopric, how the informant can say that a secular curate with two assistants can be maintained with the decency proper to their persons?

If your Excellency, with your wise discretion, either because you may have judged the brief verification which you received and which Don Juan de Ornedal sent attached to his report to be null and contrary to law, or for other just motives, had not ordered that I should also be given a copy of it, and if, after it was given, it had not been perceived that through its artifices, excesses, defects, and other faults that were made manifest by its inspection, it deserves to be a totally rejected, I would now present an instrument that would demonstrate the character of the actions and conduct of the religious who reside in the missions of El Paso, given by the life-tenure captain [*capitán vitalicio*], Don Alonso Victores Rubín de Celis, and another by Licentiate Don Miguel de Olachea, advocate of the royal audiencia of this New Spain and of that of Guadalajara, and ecclesiastical judge of that district; and, likewise, if your Excellency should judge it to be necessary to order that proof be submitted in contradiction of the charge made by Don Juan Antonio de Ornedal of extortions practiced by the religious against the Indians, sufficient could be produced to destroy the entire report.

In the thirteenth and fourteenth points the informant states that La Junta de las Ríos, beginning at the presidio of Conchos, is composed of seven missions, which have been in the care of two workers, and although he has no definite information as to how many are being paid by his Majesty, he says that he believes, though he does not affirm it, that the royal funds are paying for four ministers, while two would be sufficient; and that from the year '46 until now, because of the short distance from one to another, Father Fray Lorenzo de Saavedra has administered four of them; and that from the same year of '46 the three remaining were in the care of Father Fray Francisco de la Concepción Gonzales, until December 11, 1748, when he left them entirely, being compelled to abandon them, according to reliable information, by the constant privation from which he was suffering, notwithstanding that he made frequent visits to the town of Chihuahua to seek the means of relieving his religious necessities. [The informant says] that it is well known that these missions can be administered by only one worker; and that in case it is true that the king is paying four stipends they can remain in charge of two other ministers, for although he has been informed also that it is necessary to cross two rivers to reach the mission of Guadalupe, this is easily done by means of rafts, even though canoes could not be had, since it appears that there is no risk whatever in navigating them. It is the common opinion that each mission has at least thirty families of Indians, all domesticated and disposed to speak the Castilian language; that they produce only wheat and corn, not very abundantly, although in this particular the opinions advanced by persons who have given him information vary, and as he did not visit them he was not able to ascertain their condition.

The missions at La Junta de los Ríos were founded in the year 1713 or 1714, and I hold it to be certain that the two first founders were the fathers preachers, Fray Raymundo Graz and Fray Gregorio Osorio, who, perceiving at that time that the Indians who occupied them were many, and that they alone could not manage and attend to everything, asked my province to send them more missionaries. The father preachers, Fray Antonio Aparicio, Fray Luis Martínez Clemente, Fray Francisco Lipiane, and Fray Andrés Varo, custodian of New Mexico, were sent. These six religious founded many other pueblos—that of Santiago del Coyamet, that of my father, San Francisco, and those of San Pedro, San Juan, Nuestra Señora de Guadalupe, and San Cristóbal, and they remained for many years in those missions, until in 1725 they were invaded and destroyed by the apostate and heathen Indians, although some of the inhabitants saved their lives by flight. In succeeding years at times two religious have resided in these missions, at others three, and sometimes four. The said missions are exposed to constant attacks and hostilities of the enemy without recourse to a presidio near by or to any other safeguard for their lives; and it is true and worthy of the consideration and superior attention of your Excellency that even when the six or fewer religious were there no stipend whatever was given by the *real hacienda*, as the royal officials can testify. Yet Don Juan de Ornedal says he believes that four ministers are paid from the royal funds—a clear and convincing

argument that Don Juan de Ornedal did not have for his report more foundation than allowing himself to be convinced by the feelings that dictated it, in order to set himself down as the author of it.

According to information that has been given me, Don José de Idoyaga, the captain of the valley of San Bartolomé, has also concurred in this business, reporting to your Excellency in the same false way as Don Juan de Ornedal that when he visited the places at La Junta de los Ríos, he found only two missionaries working together, and that the other, named Fray José Páez, had gone to the villa of Chihuahua to seek aid in their necessities; and his report is reduced to the charge that while five stipends were being collected only two workers were maintained. If the report of Don Juan de Ornedal is objectionable for its triviality, that of this captain is much more so, for he should have learned in the many years that he has been in the valley that the missionaries of La Junta are without any allowance from his Majesty or assistance from the royal funds for their Christian, pious, and charitable zeal. The religious economy, mindful of reducing the expenses of the *real hacienda*, and knowing that no funds had been granted for the maintenance of the said missionaries of La Junta, and that they would not be easy to obtain, arranged that the missionaries should be maintained at the said La Junta de los Ríos by taking one stipend from those that his Majesty has assigned to the mission of El Paso, another from the two assigned to Zenecú, another from the two of the villa of Santa Fé, another from the two of the mission of Taos, and another from the two of that of Pecos, making of them a wise distribution. In this way there have been scantily maintained at the said Junta de los Ríos sometimes six religious, sometimes less. From this explanation your Excellency's equitable judgment will perceive how ill it agrees with the statement that suppositious stipends are collected, while my province does not maintain the corresponding religious.

In order that the perspicacity of your Excellency may understand how ill-natured the report is, and how filled with his prejudices, I beg your attention and consideration to what in the fourteenth point, of which I have spoken, Ornedal says of Father Fray Francisco de la Concepción Gonzales, namely, that he went frequently to the town of Chihuahua to ask for aid in his religious necessities, as he was perishing, according to reliable information, the constant privations from which he was suffering finally compelling him to abandon the three missions that were under his charge. Don Juan de Ornedal mentions only this missionary religious as poor, needy, and suffering, and he [says that he] so asserts because he was reliably informed of it; and he excuses him for abandoning the three missions that were in his care because of the privation from which he was suffering. This is the religious, most excellent Sir, whom I mention in the reply to the second point of Ornedal's report, and I remind your Excellency of the representation that was made to you by the father provincial of this New Spain in regard to the demand of Governor Don Tomás Vélez Cachupín that when religious are transferred from one mission to another, or any are newly put in, the fathers custodians shall not do it without presenting them first in his government; and if it were a removal that the cause and reasons should be given, so that if he should hold them

to be sufficient their respective warrants of approval might be issued to them, in virtue of the royal patronage and jurisdiction that he believed was conferred upon him by the royal law. This is the issue which has given rise to so much ardor and passion.

Inasmuch as the said religious, to avoid going to the mission of La Junta de los Ríos—to which the father custodian sent him in accordance with an order that he had from the reverend father commissary, Fray Juan Fogueras—perhaps because it was three hundred leagues distant from the capital, went to the palace of the said governor and remained there for a long time living with him outside of obedience, this religious alone is the one who is poor, the one who was perishing, and the one who went frequently to the town of Chihuahua to seek relief for his needs. I affirm that if the governor had not been friendly to him, and had not done him the service of protecting him and keeping him in his palace, he would have furnished much material for the report, which would have affirmed that so great was the neglect of the said religious that although he had three missions in his charge and care he frequently abandoned them and went to the villa of Chihuahua, and that his journeys were not made to seek help for his religious needs but to trade in the products that were being bought and sold there. And if he had gone to some other place in the same way as he went to the governor's palace, they would not have failed to accuse him of living a licentious life outside of obedience; but as [this action] made him of the governor's faction, and as he took refuge in his company in order not to go to the mission to which he was assigned, this religious alone is the poor one, the needy one, and the one who suffers privations. But, just as in the entire report he [Ornedal] had to contradict himself, we find him doing the same in what he asserts in regard to this religious; for he says that there were three missions in his care. And, although he sets down other missionaries as being abundantly supplied with one only, he tries to convince us that this one is suffering great privations and religious necessities even though he has three. And how can the informant harmonize the statement that the said missions can be formed into a curacy and support a curate with two assistants, with his representation that one religious alone could not support himself in them and in order to seek help for his needs often went to the villa of Chihuahua?

In the fifteenth point Don Juan de Ornedal says that he has positive information that Don Pedro de Almoyna, who resides in Chihuahua as syndic, has in his house a part of the seven ornaments that his Majesty assigned for the seven missions of La Junta de los Ríos; and he informs your Excellency of it so that you may keep it in mind, for he has not been able to find out for what reason they remain in the possession of that person.

By what is reported in this article it seems to me that your Excellency may fully judge how false, trivial, and precipitate the accusation of Don Juan de Ornedal is, and how ill-informed he is about the things upon which he reports, doing so even upon what he admits he has not been able to verify.

For La Junta de los Ríos no stipends or ornaments to celebrate the holy sacrifice of the mass have been given and those that remain in the

possession of Don Pedro de Almoyna, as syndic of the missions, which he is, are the ones which his Majesty gave for the new missions that are to be established in El Navajoo. As these missions have not yet been established, the ornaments were placed in the care and custody of the said syndic until such time as God wills that it shall be done, and I have an instrument to that effect, providing that the seven ornaments will be ready when the establishment is made. The delay has not been caused by the religious, but by the unreliability of the Indians, who promised to assemble but have not done so, and the cause may have been the total lack of provisions. It is a prudent measure, moreover, and one that looks to the safety of the ornaments themselves, but Don Juan de Ornedal attempts to ascribe it to some ill purpose or irregularity.

Thus far, most excellent Sir, have come, for the present, the points of the report of Don Juan Antonio de Ornedal, who, in his anxiety and desire to give a bad impression of the good, religious, Christian, and exemplary conduct of the missions and their religious, characterizes it as a mere scratch of the pen, promising to report much more fully by word of mouth. His accusations, however, are not a mere scratch of the pen but heavy blots with which he attempts to erase and obscure the laudable deeds and progress that are known to have been accomplished in the reduction of those barbarians at the cost of anxiety, labor, and care to my province, and of the blood that the religious have shed, delivering their lives into the power and hands of the enemy, and to the inclemencies and discomforts of those deserts, concerning which I could tell your Excellency of many deeds and happenings, if it were not that it would unduly lengthen this my reply. Nevertheless I remain with the consolation that your wise judgment will amplify and supplement it to the honor of my Order, your broad understanding reading into it the rest that I might say. This statement has been made in order to give satisfaction to your Excellency, because of the reverence and veneration that is due you and because you deigned to order that a certified copy of the report should be placed in my hands; for, as it was made by Don Juan de Ornedal, whom I do not consider, as I said at the beginning, to have any more authority than that of a mere voluntary informer, I considered also that I ought not to reply to his malevolent accusations. Because of the same reverence and veneration, however, I shall submit myself to giving the fullest justification that your Eminence may order, begging you with all humility to pardon the diffusiveness of this, my reply, which has been caused by the prolixity of the report. May our Lord guard the valuable life of your Excellency for many years in your wise government, as the kingdom requires.

Convent of Nuestro Padre San Francisco, March, 1750.²⁸²

*Letter of Father Trigo. Istacalco, July 23, 1754*²⁸³

Very Reverend Father Procurador General Fray José Miguel de los Ríos: By a letter which I received from your reverence, dated from your

²⁸² F. R. B., Mexico, Mar. 23, 1912.

²⁸³ A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 27). This letter is translated from a copy of a copy in the Bancroft Library (*N. Mex. Docs.*, I: 285-326).

cell in the great convent of Nuestro Señor Padre San Francisco in the City of Mexico on July 5 of the present year, 1754, you command me to make a report concerning the government, both religious and secular, of the missions which compose the holy *custodia* of Los Sagrados Apostoles San Pedro y San Pablo de la Nueva Méjico. Deferring to the command, as I desire to do, I proceed to execute it.

Mission of Nuestra Señora de Guadalupe y Paso del Río del Norte. This mission is the flower of them all, both on account of its fruits and garden products and of its climate. Although the region is cold, it is not so cold as that of the interior missions, for, while some snow falls, the average weather is like that of summer. At a distance of half a league to the east, the residents have their vineyards and fruit-trees—peaches, apples, plums, and several kinds of pears. In the same neighborhood they have their garden, in the midst of the settlement, and a vineyard which is cultivated and pruned by a horticulturist furnished each week by the Indians, whose wines defray the necessary expenses of the celebration of the sacrament in the mission. They supply to the convent a bell-ringer, a cook, two sacristans and two women to grind the wheat. On the convent lands the Indians sow some six *fanegas* of wheat, from which their minister obtains sufficient bread for a year, and they themselves enough to meet their own needs. For this sowing the father gives them half a *fanega* of corn, oxen, and all the tools necessary for cultivation. But as we do not live by bread alone, the minister is always obliged to concern himself about the other things needed for sustenance, for, as the Indians pay no obventions, the necessary expenses for current needs are barely met from the fees which the presidials and residents pay.

Mission of San Lorenzo del Real. The settlements of this mission begin where the houses belonging to the one just mentioned leave off. Lying along the bank of the large Río del Norte toward the east, this poor community is composed at present of six or eight families. They sow for the father with their oxen two *fanegas* of wheat and one *almud*²⁸⁴ of corn, with the understanding that the minister will not collect parochial dues from them. There are no Indians in the mission, for the Zumas, who formerly composed the mission, revolted, and returned to their heathenism and their mountains.

Mission of San Antonio Zenecú. This mission is two scant leagues distant toward the east from that of El Paso. The Indians all have their vineyards, and those of their souls are well cultivated. All this care is owing to the zealous efforts of their minister, the reverend father *procurador general* and former vice-custodian, Fray Andrés Varo. For him the Indians sow six *fanegas* of wheat and half a *fanega* of corn. He always uses the crops in the exercise of his great charity, for his convent is never without the poor, nor his granaries without wheat and other seeds, for God gives him abundant grain and crops so that he receives in

²⁸⁴ An *almud* is a unit of dry measurement varying from one-twelfth to one-half of a *fanega*.

full measure the deserved reward for his alms. The Indians furnish him, for the service of the convent, a bell-ringer, a porter, a cook, three sacristans, two boys for the cell, two grinding-women for the wheat, and a gardner for the garden, in the latter of which there is an abundance of vegetables, and a vineyard from which he obtains the necessary wine for the mass.

Mission of Señor San Antonio de la Isleta. The great Río del Norte is a beautiful image of the celebrated Nile, for if mortals, urged by necessity, are enlisted under the banner of the waters of the Nile, so also are other mortals for the same reason settled along the banks of the Río del Norte. It is for this reason that the missions are situated on its margins. This one, called La Isleta, is two leagues from the above-mentioned mission of Zenecú. The Indians of this mission have their gardens adorned with beautiful grapevines, peach trees, apple trees, and good vegetables, and the garden of the convent imitates them in providing delight to the eyes and satisfaction to the taste. All the cultivation is due to the annual presence of a gardner provided by the sons [of the mission] who come to the convent every week with the boys needed for the daily cleaning of the cells; they also provide the other workers—a bell-ringer, porter, cook, two sacristans, and the Indian women needed to grind the wheat. The amount of this grain usually sown is six *fanegas*; of corn, they plant one *cuartilla*.²⁸⁵ From the crop the minister obtains funds for his annual expenses and the relief of his needs, as well as a general fund from which he meets the wants of the people. Since they pay no obventions, they are prompt and willing to do all things.

Mission of Nuestro Señor Padre San Francisco del Socorro. This mission, which is a short league distant to the east from the preceding one, although the last of the series as to location, is the foremost in Catholic fidelity and Christian stability; for its Indians are those who escaped from the barbarians in the terrible uprising and formidable disturbance of the year 1680 in the mission called El Socorro, seventy leagues from El Paso on the banks of the Río del Norte. They, animated by manly courage, went out to wage gallant war against apostates and heathen until they obtained the location which now affords them tranquillity. In view of this most notable constancy it is not to be marvelled at that they live in an orderly, well-regulated and Christian manner. Proof of this fact is found in their government, for their families number a few over fifty, and they do not neglect the cultivation of their vineyards and gardens. [They furnish] two boys for the cell, a porter, a steward, two sacristans, a cook, and three women to grind the wheat. Of this grain they sow four *fanegas* for their minister, the crop from which, together with that from one *almud* of corn, supplies him for the entire year. The father meets all expenses by bartering this grain, for only two or three settlers pay obventions, and these are so scanty that they do not amount to twenty pesos.

²⁸⁵ The fourth part of an *arroba*, or approximately six and one-quarter pounds.

New Mexico, and an account of its missions. Mission of Señor San Agustín de la Isleta. The mission of El Paso is the starting point for crossing over to the missions which are situated in the interior of that kingdom. Therefore, as soon as the river is crossed at the former mission, one travels, keeping the river in view at the left hand, due north without deviation for a distance of one hundred and fifteen leagues to the said mission of San Agustín. Its location is pleasing, for it has a near view of the waters of the stream and of the various detachments that depart from that point for El Paso or the villa of Chihuahua. The Indians of the mission are brave warriors, so much so that they give the father plenty of opposition with their witchcraft and idolatry. They do not, however, fail to provide the minister with a gardner for his garden, in which they plant vegetables, water-melons, and cantaloupes. They also provide him every week with a bell-ringer, a porter, three boy students of the doctrine to care for the cell, three sacristans, a cook, and the women needed for grinding the wheat. They sow for their minister five *fanegas* of this grain, as well as one *almud* of corn, from which crops the minister is supplied, with the added expectation of obventions from eight or ten settlers for other necessities; for the sons of this mission make up the obventions by labor, and the minister, inasmuch as the mission has no vineyard, always supervises it gladly.

Mission of Señor San José de la Laguna. He who has any sensibilities regrets to leave good company, but these Indians of La Laguna, like semi-brutes in their ideas, have not even sensed that in leaving the Río del Norte, the waters of which fertilize all the other missions, they have forsworn desirable company, although it is true that hypocrites expect benefits from heaven. This is the reason why they located eighteen leagues west of the mission of La Isleta. In this location they sow for their ministers three *fanegas* of wheat and one *curtilla* of corn, the father undertaking to give them oxen, food, and other necessities until the crops are raised. They pay no obventions, but they are very punctual in their attendance upon the father, to whom they furnish a bell-ringer, a gardner, a cook, a porter, two boys for cleaning the convent and the cell, as well as women to grind the wheat. They are most prompt to obey any command. Finally, this is one of the missions which, because it has a great many sheep and goats, furnishes the minister with meat every day without compensation, in accordance with an old custom.

Mission of San Estevan de Ácoma. Five leagues in the same westward direction from La Laguna is the mission of San Estevan, situated upon a rock, or cliff, over three hundred varas high. On its crest, which is quite level, are the church, the convent, and all the houses. The Indians furnish the minister all the mutton necessary for his use, as well as a bell-ringer, a porter, two boys for the cell, a cook, and two women to grind the wheat. Of this they plant for the father the quantity of three *fanegas*, and one *almud* of corn, at a distance of four leagues from this territory. All the crops depend upon rain, as they have no irrigation system or other lands for cultivation. Owing to these difficulties and the lack of obventions, the father lives continually in reduced circumstances.

Mission of Nuestra Señora de Guadalupe de Zuñi. Traveling westward from the mission of San Estevan de Ácoma, one reaches, at a distance of forty leagues or a little more, the mission of El Zuñi, situated among some mountains or rocky cliffs. Its Indians, being neighbors of the numerous apostates of Moqui, who live thirty leagues away where they take refuge and have their dwellings, are certainly very independent, for they never sow anything for their minister; but, as soon as they raise their crops of corn, which is the only thing they sow, they simply give their minister a sack full of ears of corn, from which he has *tortillas*, accompanied by very good mutton, which they give to the religious every day. The weekly servants for the convent are the gardner, the bell-ringer, the porter, two boys for the cell, a cook, and two women corn-grinders; the Indians also furnish the wood necessary for his use.

Mission of San Felipe de Jesús de los Queres. One does not always turn back in order to accomplish his intent, but I do so now for that purpose. In order that my statement may be plain, I say that from the mission of San Agustín de la Isleta, which is on the other side of the Río del Norte, there is situated, eight leagues north and on the same side of the river, the mission of the very docile Queres Indians. Although they pay no obventions or parochial dues, they all come with their oxen to sow four *fanegas* of wheat and two *almudes* of corn, with which crops the minister fares not ill if during the year he receives at the proper time the sheep which he needs. The servants are a porter, a bell-ringer, three boys to attend on the cell and convent, a cook, and two grinding-women with their husbands, who bring all the wood used.

Mission of Nuestra Señora de Santa Ana. Down the canyon of a rugged mountain through which the river Santa Clara flows on its never-ending course in search of a friendly and pacific union with the waters of the Río del Norte, winds the road from the mission of San Felipe, toward the west, in which direction, four leagues away on the plain, is the mission of Santa Ana. The Indians are few, but they do a good deal, for they not only provide the convent with the weekly services of bell-ringer, porter, cook, two boys for the cell, and two grinding-women with their two woodmen, but they all come as well to sow for the minister two *fanegas* of wheat and one *almud* of corn, thus assuring him of subsistence for the year. The minister has to provide himself with sheep, wine, and wax, the staples which he needs without allowing for incidental necessities, for the Indians do not pay parochial dues.

Mission of Nuestra Señora de la Asunción de Zia [*sic*]. From the mission of Nuestra Señora de Santa Ana, two leagues distant in the same direction and across the mission lands is the sierra [of the] mission, very dark and forbidding, whose Indians give the minister for attendance upon the convent two boy students of the doctrine, a bell-ringer, a porter, a cook, two grinding-women, and wood enough for the kitchen and the ovens. They also sow for the minister two *fanegas* of wheat and one *almud* of corn, so that the discomforts of the poor religious are somewhat lessened.

Mission of San Diego de los Gémes [Jémez]. Without varying a handbreadth from the same direction there lies, about two leagues from the mission of Zia, this mission of San Diego. Here the inhabitants, by dint of much contrivance, have succeeded in weaving the cotton which they sow in their own country. They sow for their minister three *fanegas* of wheat and one *almud* of corn, the product of which, even though used economically, never suffices for the expenses of an entire year, for these Indians sow little, and they use a great deal, owing to the continuous passing back and forth of the settlers and soldiers. The Indians furnish every week a bell-ringer, a porter, two boys for the cell, a cook, two women engaged by the week and two men who bring the quantity of wood needed. They pay no obventions, and so the father has a good deal of trouble in obtaining wine, wax, and other necessities, for it is not a country which abounds in benefactors.

Villa of San Felipe de Albuquerque. It is true that obedience needs to be blind if it is to be truly religious, for the subject must obey with closed eyes. Yet even so it is fitting that the eyes be opened in order to obey, for, unless one sees well what he is doing, it is clear that he who obeys has no merit. Therefore, not to depart one iota from this precept, lest I make myself liable to criticism, I am obliged to open my eyes and fix them for a third time on San Agustín de la Isleta in order to observe the proper sequence in doing what your reverence commands. Going then, from the latter mission six leagues or a little more and leaving the Río del Norte to the left, one reaches the villa, or I might say the site of the villa of Albuquerque, for the settlers, who inhabit it on Sunday, do not live there. They must stay on their ranches to keep watch over their cornfields, which are planted at a very pretty place three leagues distant, called La Alameda. There are no Indians in the entire territory, but the settlers pay their parochial dues, from which the father barely has sufficient for his daily needs.

Mission of Nuestra Señora de los Dolores de Sandía. This mission is seven leagues farther in the same direction; it is one of those which were destroyed in the year 1680. It has now been restored by Reverend Father Menchero and peopled with fifty odd families which our religious took away from the apostates of Moqui, for they were fugitives and were excessively vexed in Moqui by those barbarous chieftains. No sooner had the fathers admonished them for their own good than the oppressed Indians heeded the apostolic advice and left that accursed rancheria. They pay no obventions whatever, but they give to the minister two young men to care for the cell, a bell-ringer, a porter, a poor cook, and two grinding-women with their two woodmen. They sow for their minister three *fanegas* of wheat and one *cuartilla* of corn, whereby the father is provided with food.

Mission of Nuestro Padre Santo Domingo. Without losing sight of the north star, nor yet of the waters of the famous Río del Norte, one goes nine leagues to the place where is fixed the beautiful star of the firmament and portentous light of the world, my great father, Saint Dominic.

This mission is situated only two squares [*cuadras*] from the river. Here the minister has for his assistance a bell-ringer, a porter, three sacristans, two boys for the cell, and two grinding-women with their two woodmen. They pay no obventions, but they sow for their minister two *fanegas* of wheat and one *almud* of corn, from which crops the father obtains the annual supply for his table.

Mission of Señor San Buenaventura de Cochití. Crossing the river at the foregoing mission, and travelling to the west, one soon arrives at this one, for the journey is not quite four leagues. On the banks of the river it has fine melon patches, and its Indians are good workers. They [sow several] *fanegas* of wheat and one *cuartilla* of corn, whereby the father is assured that he will not have to go with his sack on his shoulder. They pay no obventions, but they give to the convent two servants for the cell, a bell-ringer, a porter, a cook, the necessary wood which they bring in carts, and two women to grind the wheat.

Mission of Nuestro Señor Padre San Francisco and the villa of Santa Fé. Although those two sanctified luminaries of the militant Church, my most beloved patriarchs, Dominic and Francis, lived in spiritual identity, yet in temporal things, like the sun and the moon, my most holy fathers divide their employments, and it was necessary for their government that they should be separated. For this reason their sons, following their example, separated in these missions for their better operation. Thus, setting out from the mission of my great father, Saint Dominic, and traveling ten leagues toward the east, one reaches the mission of my father, the wounded seraph.

All the people who live near the presidio for its defense are whites [*gente de razón*], and it is he who lives the governor of the kingdom who is its commander. There are no Indians settled there. Two leagues from this mission is that of San Diego Tesuqui, a *visita* of this capital. Its Indians sow for the father two *fanegas* of wheat and one *almud* of corn, but as they sow it for him off there in their pueblo they eat the crop themselves, and the father is in need. Every fifteen days he goes to them to say mass, and whenever they call him for those who are ill, to hear confessions, and administer extreme unction. They give to the convent a bell-ringer, a porter, a sacristan, a cook, and three women to grind corn, as well as two wood-cutters. They pay no parochial dues, but this does not cause the minister any discomfort, for these are paid by the settlers and soldiers.

Mission of Nuestra Señora de Porciúncula de Pecos. It is now necessary for me to change my direction in order to follow my purpose, so that my account may proceed without confusion, as I make a digression. So, turning to the south from the villa of Santa Fé, I cross a mountain range which every three years affords delight to the taste with its crop of *piñones*, and, after travelling eight leagues, I reach a beautiful valley where this mission is located. It is invaded continually by the barbarians, but the mission Indians are so brave and warlike that the enemy always is defeated. The mission Indians have their privileges, but they do not claim them, for they go out voluntarily upon their campaigns. Their forebears

were not willing to take part in the uprising of 1680,²⁸⁶ but observed a Christian loyalty to our Catholic monarch, fought when they were besieged by the apostates, and exposed their lives in defending their minister, without yielding ground. They sow for the father four *fanegas* of wheat and one *cuartilla* of corn, whereby his necessities are supplied. They pay no obventions, but they furnish for the assistance of the father and the convent four boys, a bell-ringer, a porter, a cook, three grinding-women and the wood needed for use.

Mission of Santa Cruz de Galisteo. Four leagues southwest of the villa of Santa Fé this poor mission is situated. Although a victim of the barbarian hammer [*el bárbaro martillo*], its Indians are so courageous that on the occasion of an attack which took place when I was there on a visit, boys of fifteen scaled the walls, the gates being shut, so as to be able to give the enemy a warm welcome with arrows and slings. The sowing which they make for their minister is only of one *cuartilla* of corn, but this, with what they sow for themselves and for "El Bárbaro" (and store away in great granaries) causes them and the father always to be abundantly supplied with necessities. They pay no obventions, but they furnish three boys for attendance upon the convent, a bell-ringer, a porter, sacristans, wood sufficient for its needs, and two women to prepare the dough [for bread].

Mission of Nuestro Padre San Francisco de Nambé. The sovereign image of obedience makes me again turn north in order to give your reverence an account of the remaining missions located in this part. Therefore, so that I may make myself clear, I say that, setting out from the villa of Santa Fé and travelling north for six leagues, one comes to this mission, which is in a most agreeable location, for it has a beautiful stream which leaps noisily from a leafy mountain. It induces harvests with abundant health-giving waters, and on its spacious fields the Indians sow for the father, their poor minister—since they pay no obvention at all—three *fanegas* of wheat and one *almud* of corn. By means of these crops the father passes his year in reasonable comfort. They give the minister one boy for the cell, a porter, a bell-ringer, two sacristans, three women-servants and three men-servants each week, with wood enough for the ovens.

Mission of Señor San Ildefonso. As I cannot divide myself and travel two roads at the same time, I shall here take the last one first, and say that, on setting out from the mission of Nambé toward San Ildefonso, one comes to the latter by turning sharply to the west, and finds it situated three leagues from the preceding one. Here one may enjoy the sight of the flowing waters of the Río del Norte, along the wide banks of which

²⁸⁶ The above statement is incorrect. "At Pecos, . . . the chiefs had planned for the revolt with the Tewa, Taos, Picuris and Jemez Indians for a long time, . . ." Hackett, "Revolt of the Pueblo Indians . . . in 1680," *loc. cit.*, p. 119. Governor Otermín, in his letter to Father Ayeta Sept. 8, 1680 (*supra*, p. 329), speaks of the "fury of the Pecos" in the rebellion of the preceding month and of the death of the *guardián* of Pecos, Fray Fernando de Velasco, at the hands of the Pecos.

lie all the fields. That which they sow for the minister in lieu of the obventions which they do not pay amounts only to four *fanegas* of wheat and one *cuartilla* of corn, but from the crop the father has sufficient bread on his table. They give to the convent a gardner, a boy for the cell, a porter, a bell-ringer, a cook, two sacristans, two women-servants each week, and abundant wood for the kitchen.

Mission of San Juan de los Caballeros. As one who takes a middle course between two opposite ones, thereby suppressing the impulse to go to extremes, so does one find the road which leads out of San Ildefonso toward the mission of San Juan de los Caballeros, which is three leagues south and west of the former mission. Its inhabitants, who are very loyal Indians, pay no obventions, but compensate therefor by sowing for the minister four *fanegas* of wheat and one *cuartilla* of corn, with the crops from which expenses are ordinarily met; if there is any left over, other things are obtained in exchange for the residue. They give the minister one boy for the cell, a bell-ringer, a porter, two sacristans, two wood-cutters, and a cook, along with two grinding-women for making dough.

Mission of Santa Cruz de la Cañada. About two leagues from San Juan de los Caballeros and in the same direction between north [west?] and south, is located this villa of those who are not such [*caballeros*, i.e., gentlemen]. It has only a church and convent, whose minister is obliged to pay wages in order to obtain the necessary servants. The people are all whites, but they live in such an unregulated manner that they do everything possible to avoid paying [parochial] dues, for everything is dispensed with the book of rates right at hand.

Mission of Nuestra Madre Santa Clara. This mission is distant one and a half leagues to the west [*por entre el sur y el norte*] of the above villa. Though converted forever from the barbarian Yuta, the fierceness [of these Indians] has never been moderated, not even in the women, who wage continuous war against this giant barbarian by throwing stones upon him from their slings. They meet their obventions by two *fanegas* of wheat poorly sown and one *almud* of corn planted in the same fashion, with the product of which the father barely supplies his necessities. They give him two boys for the cell, a bell-ringer, a porter, three sacristans, a cook, and two weekly women-servants with their husbands, who are the wood-cutters.

Mission of San Lorenzo de los Pecuries. Finally, taking the other road which I left on the right hand at the mission of Nambé, and going north, I find this mission, celebrated for its many and efficacious herbs and its abundant stream of water nearby. Its inhabitants do not pay parochial dues, but they have the obligation to sow for the minister two *fanegas* of wheat and one *almud* of corn, with which the father gets on badly enough. They give him the boy for the cell, a bell-ringer, a porter, two sacristans, a cook, two wood-cutters, and two women each week [to grind the grain].

Mission of San Gerónimo de Taos. This mission, which is the last one of that holy *custodia*, is twelve leagues north of Pecuries. Being on the

frontier, it is where the other nations come to hold their fairs, which are set at intervals regulated by the occurrence of the moons. To these fairs go the governor of that kingdom or his lieutenant-general and many of the settlers and soldiers. The Indians sow for the minister in that valley four *fanegas* of wheat and one *cuartilla* of corn, which yield a crop from which the minister obtains his bread for the entire year. They give him two boys for the cell, a bell-ringer, a porter, three sacristans, a cook, sufficient wood, and two grinding-women for the grain.

In this and in all the other missions which have Indians and are composed of these people, they attend the teaching of the doctrine in the following manner: At seven in the morning when the bell is rung, the girls come to the church where, in the presence of the *fiscal*, the minister prays all the prayers with them and repeats the Christian doctrine; they conclude with a hymn of praise which is nicely sung, and they then go to their houses. The same is then done with the boys, who say their prayers in the same manner. The rest of the pueblo only prays on Sunday after mass, while the father breakfasts in order to [be ready to] attend the roll-call [*cuenta*]. I have not discussed the six missions at La Junta de los Ríos because I have not visited them. I know that they are fifty leagues east of the villa of Chihuahua, and I am told that their Indians are good, and that because they have no lands to sow they make frequent visits to Chihuahua, where they acquire by labor what is necessary for their maintenance; they are very keen in looking for work, and not at all lazy.

This is the description or report which your reverence has requested of me, and this is the precept by which I have been guided in making it: May God grant that I may properly obey, for that is my desire, as it also is that the Divine Majesty may preserve your reverence for me in perfect health for many years. Dated in this, our cell, in the convent of San Matías de Istacalco, July 23, 1754. Fray MANUEL DE SAN JUAN NEPOMUCENO Y TRIGO.

*An account of lamentable happenings in New Mexico, and of losses experienced daily in affairs spiritual and temporal; written by Reverend Father Fray Juan Sanz de Lezaún, in the year 1760*²⁸⁷

In the year 1680 occurred the general uprising, on the day of Señor San Lorenzo, with the loss of sixty odd missions, many little pueblos which were visitations, and numerous haciendas—all stocked with cattle and sheep, and large droves of horses and mules. Every year large numbers of all these animals were being exported; mines were being worked, as is evident because their remains prove it, not only in regard to the mines, but the other industries as well. Indeed, there are still living many old men both in New Mexico and in the vicinity of Chihuahua who say so. In this unfortunate revolt twenty-one religious perished at the hands of the Indians, some of them burned, others shot with arrows, while some were clubbed to death. The Indians were in revolt two years or more.

²⁸⁷ A. G. M., Historia, vol. 25 (see Bolton, *Guide*, p. 27). The archive designation was omitted in the Bandelier transcript.

The governor who was in authority at the time (whose name I have forgotten)²⁸⁸ fled to El Paso del Río del Norte, at the head of some families of Teguá Indians from Isleta, from the mission of Socorro, and from Senecú, as well as all the settlers. Some families remained behind in captivity. During these two years, according to report, religious came on three occasions from El Paso to preach to them apostolically, and their entrance to the country was facilitated, but the greater part [of the Indians], who were Teguas and Apaches, were obdurate; of the Queres down the river, many of them were reduced.

This work was pursued with zeal until, either by the order of his Excellency, the viceroy, or of his Majesty, the governor,²⁸⁹ who was residing in El Paso, came back with a few people, according to report, and accompanied by the religious. Shortly thereafter the Queres nation on the lower river surrendered. They [the governor's party] entered the villa of Santa Fé with fire and blood, the palace being in possession of the Teguas, many of whom died on this most happy day, which was that of the conversion of St. Paul, and the standard of the faith was triumphantly planted in that villa.²⁹⁰ God willed it that soon after, due to the valor of the few soldiers, the remaining Teguas on the upper river began to surrender. His Excellency the viceroy, knowing that very few of the Spanish families among those who had fled were willing to re-enter in this reconquest, gave orders to have families sent in. The first years, they tell me, were passed in the midst of great hardships. Of all the people who had been there only about eighteen remained. (The governor of this enterprise was a *marqués*,²⁹¹ as I recall it.) But time went on, and Reverend Father Miranda, a very apostolic man, went throughout all the land, even to the most rugged sierras, collecting the wandering sheep of numerous nations. With them he founded a mission called Señor San José de la Laguna. They spoke many languages, but have all learned that of the Queres, forgetting their native tongues. The province of Moqui has remained in revolt up to the present. It was composed of some nine pueblos, but due to continuous wars among them there remain only five, containing more than eight thousand Indians. The province is the refuge of the Christian Indians when they are tired of working for the governor and the *alcaldes mayores*; at such times they retire thither, and, uniting with the Moquis, do great damage to the cattle and horses of the Christians. I am sure that their Excellencies, the viceroys, have not been informed promptly of this situa-

²⁸⁸ Reference is to Don Antonio de Otermín.

²⁸⁹ Reference is to Don Diego de Vargas Zapata y Luján Ponce de León (see note 181, *supra*).

²⁹⁰ Reference probably is to the occupation of Santa Fé by De Vargas in December 1693. He and his forces entered that town on December 16, at which time formal possession was retaken for the Spanish monarch. Thirteen days later a successful attack was made on the public buildings in Santa Fé, which were defended by the natives of the town and a body of Tewa allies. "The punishment meted out to the Indians was very severe." Coan, *A History of New Mexico*, I: 218-219.

²⁹¹ Reference is to Don Diego de Vargas Zapata y Luján Ponce de León, who, by the time of his second term as governor, 1703-1704, had been ennobled as Marqués de la Nava de Brazinas. See note 181, *supra*.

tion, for if they had been, they would have taken measures to remove this Rochelle [*rochela*] on account of the serious injury which it threatens. The difficulty might have been overcome at small cost, for the towns are so situated that they might soon be taken by a siege force, since they have no water except at a distance, and their wood supply and their crops are also remote. I have seen and proved this to be true by my own experience, because I have been there to preach to them.

The province of Xemes [*sic*] contained five large pueblos, of which but one remains. All the pueblos in the Apachería were destroyed, although there still remain some churches back of the range of Sandía. Down the stream the country was settled as far as San Cristóbal, but nothing but vestiges remain there now. In the pueblos on the lower river the missionaries have induced the Indians to apply themselves to raising many cattle, sheep, and horses in each pueblo, with which they furnish a supply for campaigns and for freighting. In the up-stream pueblos, which belong to the Teguas, there are cattle and some horses. These pueblos are the poorest, for God keeps them so because they were the ones which raised the cry of revolt which they repeated at the end of some four years when they killed five fathers; afterwards, in Xemes, an Apache pueblo, and one of those which remain, they killed another religious, he being the last.

This kingdom is as fertile in grain production as Old Castile. The wheat is unequaled; corn and all kinds of vegetables do well; fruits are few on account of the great amount of snow and ice; the meats, both of cattle and sheep, are most excellent. Besides the silver-bearing ores, which are well known, there is much copper, lead, antimony, and everything necessary for mining. There are salt deposits notable alike for their quantity and for their whiteness; there are sulphur mines near the salines, and mines of jet, alum, and copperas. In this same locality there is much licorice, gypsum, talc as diaphanous as possible, and paint clays of various colors, with very fine red ochre. But all this lies waste, a kingdom with such great resources void of human energy because it is so poor and so neglected by the governors, for these gentlemen attend only to filling their own pockets. The Indians are very capable but wholly untrained; they grow up in idleness, and reject the law of God. Even though the missionaries give their lives in their work, it is of little avail, for [the natives] are so superstitious. For all these reasons the fathers are unable to effect any improvements, especially because they have no assistance from the governors or the *alcaldes mayores*. These latter make excuses for keeping the Indians heavily burdened, yet living in liberty, which is the method adopted in order to please them and not make their burdens so appreciable, and this is why they will not undertake to aid the fathers in any way.

For about thirty years the governors have collected the tithes; all the tithes from down the river are collected in the villa of Albuquerque (a Spanish villa), the *alcalde mayor* of which has the duty of receiving them. The Indians haul them gratis, and at the proper time take their own in wagons to the villa of Santa Fé. I counted thirty-six wagons at one time, and the pueblos which had none delivered the tithes on horses or on their own backs for a distance of thirty-four leagues, or down-stream from

Taos a distance of thirty leagues. All this they do, as I have said, without any pay whatsoever.

The wool, which usually weighs about eight hundred *arrobas*, is distributed among the pueblos so that the Indians may make blankets for the governor; hard after him come the *alcalde mayor* and his lieutenant, distributing their own wool. The lambs contributed under the tithe, though not yet six months old, are distributed to the Indians, who are obliged to return for them sheep, head for head, and they do the same thing with the kids. When the governor is out of corn, he makes a distribution of iron hoes, which are worth at most one peso, at the rate of two *fanegas* of corn for each hoe, whereas corn is worth by valuation or schedule two *reales* at most per *fanega*. The services of the *semaneros* [weekly servants] for the governor is arranged so that the Indians from up-stream serve from Easter to All Saints', and those from down-stream from All Souls' to Easter.

Every week on Sunday there appear at the palace five men and five women, the men to haul wood and perform other services, and the women to grind wheat and corn by hand. While doing this work he who has brought anything to eat eats it. Not even the boys and girls who are learning the doctrine escape from this work; such girls as come to this work with their virtue unsullied lose it there, for they are very strongly moved by desire for gain, so that they easily fall. The married women who go there pregnant have miscarriages for the most part, both on account of the excessive labor and of the long journey on foot or horseback. All this is well known to be true. From Xemes down the river to the villa of Santa Fé the distance must be more than twenty leagues; and all these pueblos from Xemes to Santo Domingo must render services in the most inclement season, in winter, when the snow is usually more than a vara deep. But whether the weather is good or bad, they must be in the palace on Sunday, to do which they have to cross the frozen Río del Norte, and this has cost many lives, abortions, and convulsions among the women. The *alcaldes mayores* also take weekly servants to their houses, the men to till their lands, although they have not sown the land in their own pueblos, to clean the ditches, and shear the flocks. During this service they have to provide their own food, and they receive no pay. Ten Indians are engaged each week in herding the governor's sheep, without pay, furnishing their own food. This service is required from those down the river, while those from up the river take care of the cattle. When all this work is known to the heathen, who are always coming in and going out of the pueblos and hearing the complaints of the reduced Indians, what new reductions can be expected? Let the Apaches, Navajoes [*sic*], and Moquis say, who, being afraid, have not been converted.

In the year 1748, I, Fray Juan Sanz Lezaún, and Reverend Father Fray Manuel Vermejo, went to the conversions which were made among the Apaches and Navajoes by Reverend Father Fray Carlos Delgado. Father Vermejo went to La Zebolleta, and I went to El Encinal. We labored at catechizing these Apaches about five months, during which time I maintained them at my own expense, and finally they repented. But because

the governor had commanded the Indians of La Laguna to go to La Zebolleta to work his fields, sow them, build a church and pueblo, and do other necessary things, and had ordered the Indians of the mission of Ácoma to go to El Encinal, these Indians, finding themselves heavily oppressed, along with those from other missions, created such a schism among the Apaches that the latter desisted from their intended conversion, and revolted. We were left disconsolate at such a fatal misfortune, which we were without power to remedy. This proves the hopelessness, unless God provides, of there being any more conversions.

In addition to all the work done by the Indians as described, they are burdened with continuous forays and campaigns, resulting in the loss of many horses and the consumption of their supplies, all without compensation, as are the poor settlers. In the course of one of the daily wars which the Moquis have with each other, the reverend father emeritus, Fray Carlos Delgado, in company with Father Fray Pino, entered [the Moqui country], in the year 1745, Don Gaspar de Mendoza being governor. Father Delgado had seen the governor to ask him for assistance in going into Moqui, for some of the Christian Moquis had told him that the occasion was suitable for bringing out a number of people. Upon learning this, the governor gave the fathers an escort of two soldiers and a sub-corporal. The fathers collected also a few settlers and Indians, not over twelve in all. They took no supply of provisions and no animals, for they had none. They having entered in the midst of this said civil strife among the Moquis, many of these people came down to take refuge with the fathers, all willing to follow them, but the latter were prepared to take away only five hundred persons, great and small. Because the said governor had not assisted them with the necessary food, men, and animals, they could not bring out more than two thousand souls. The fathers and their companions, between them, undertook to help the heathen mothers to carry their infants: some carried as many as four or five. Thus, laboriously, they travelled as far as the mission of Zuñi, a distance of about fifty leagues, and if the fathers had not had the foresight to send runners to Zuñi for provisions many of them would have perished, especially the women.

The governor put most of these people in Xemes, and others in La Isleta, and though they are such neophytes, they do not escape going on weekly service to the villa and the house of the *alcaldes*, or performing other services. Several *entradas* have been made into the province of Moqui, but it has not been possible to bring away more people because the story has gone out of this burdensome labor. In the year 1747 Reverend Father Fray Miguel Menchero made an entry; he carried an order from Señor Horcasitas²⁹² [the viceroy], to resettle the pueblo of Sandía, one of those abandoned since the uprising, with these Moqui Indians. The Indians accordingly were established in this mission, which to-day is one of the most magnificent both on account of its situation as well as of its splendid

²⁹² Bolton (*Guide*, p. 470) lists Juan Francisco de Guemes y Horcasitas, Conde de Revilla Gígedo, as viceroy of New Spain from 1746 to 1755.

cultivable fields, all subject to danger, for this mission is a bulwark of defense against the ferocity of the Apaches Faraones, who are among the rebels; they are so-called [Faraones, *i.e.*, Pharaohs] because they are such butchers. Reverend Father Menchero carried, among other instruments which he had from Señor Horcasitas, a commission as protector of the Indians for Don Cristóbal Martínez, *alias* El Patrón [The Boss]. The latter went to see the governor, who was Don Tomás Vélez Cachupín; when he was presented, the governor told him that he was to live in the villa of Santa Fé, if he desired to impose obedience, and that he should understand that he was going to have an enemy in himself [the governor]. When he heard this, Don Cristóbal did not want to accept [the position]. I know this because I had the nomination in my own hands, and, on returning from [presenting] his claim, he passed by my mission and told me of it, and this is the state in which the affair remains.

All this shows that the poor Indians have no one to stand up for them; not even we fathers can do it, nor can we prove how much the missionaries have labored since the reconquest, alike in preaching the Holy Gospel, in building churches, in opening irrigating ditches to equip the Indians for their farm work, and in doing other things necessary to their welfare. Regarding this matter [the governor] has forbidden the *alcaldes mayores* and their lieutenants, under penalty of two hundred pesos' fine, loss of employment and other arbitrary penalties, to give testimony [concerning our work] to any person, whatever his position may be. This is proved by a statement made by Don José Baca, *alcalde mayor* of the villa of Albuquerque, to Reverend Father Juan José Hernández, to the effect that the governor had written him a letter ordering him not to let any Indian boy whatever go out with the fathers. The father custodian, who was at the time in the interior, had sent for Father Hernández, and the latter, seeing that it was impossible for him to go because he would need a boy to carry his provisions and other necessities for such a long journey, asked the *alcalde* for a written statement wherewith to satisfy the father custodian. The *alcalde* made no objection, because it was a very reasonable request, but when the governor found it out he at once imposed the fine ordered, deprived the *alcalde* of his position, and countermanded the order. Of all this the father custodian was witness, as well as he who received the written statement. Others who can prove it are the *alférez* of the presidio, Tomás Madrid, Corporal José de Herrera, Corporal José Benavides, and others of those who came to Mexico on account of the calumnies published against them by the governor and his associates, accusing them of being seditious. If the false witnesses had not perjured themselves, as was proven, these innocent men would have paid with their lives. Tomás Madrid came bearing certificates of his neighbors, thirteen of whom accompanied him before the señor viceroy, and they returned, some attached to the mule-trains, others as best they could, enduring the hardships incident to such a long journey. I learned that they had secured an order providing that some of them should receive back their *plazas* [enlistments], and that others should have their houses restored, as there was found no other means of sustaining the case [against them].

In New Mexico, and even in Mexico itself, it is difficult indeed to prove anything against the governors, for whenever there is any complaint they are either given a copy of it, so that they may reply, or else their own legal representatives notify them. Whichever happens, they prove an alibi for they call the settlers like absolute lords just as they please, and they, under compulsion and urging, sign their names; and for him who refuses there are the stocks and lashes, for not answering according to the pleasure of the said señores. This is proven by what happened to Manuel Armijo and Don José Bustamente, residents of that kingdom, who were witnesses in the iniquitous case of *Alférez* Tomás Madrid and José Benavides, mentioned above. The former, who were eyewitnesses, testified in favor of the latter, being stimulated thereto by their consciences, and what happened to them because they would not reply as the señor governor desired was that they were put into a cell in a pair of fetters. When the said governor saw that the matter was going against him he asked them to give bail so that he could release them from jail. Some did so, but others did not; those who gave it did so on account of their houses and families, the others fled to Mexico. The entire kingdom will certify to this and to all that I have said.

Also, with regard to the sale of the position of *alcalde*, this is obtained by him who gives the most mules or sheep; this is so well known that not even the little children are ignorant of it. What kind of justice can they [the *alcaldes*] dispense, for many reasons? First, they have to agree to do whatever the governor commands unless they want to see themselves deprived of their positions. Second, they themselves, having the privileges of *alcaldes*, since there is no one to oppose them, have their own way with the poor Spaniards and the miserable Indians. Both of the latter complain bitterly, for the enemy on one hand destroys their cattle and horses, and the governors and *alcaldes* on the other hand oppress the Spaniards with fines and other impositions at the instance of tale-bearers, and exact of the poor Indians their goods and their personal labor. It is a wonder that the unhappy kingdom subsists at all.

The Christian Indians are so intermingled with the many heathen that they are almost indistinguishable. The heathen Navajos are continually coming into and going out of the pueblos, and they see iniquities and hear the clamors of the Christian Indians. There had been hopes for the conversion of the Navajos, but after having observed all this oppression, no matter how much they are preached to they will be unwilling to be reduced lest they experience what they have seen. It is indeed lamentable to see how useful this kingdom might be to his Majesty and his vassals, and how unprofitable it is on account of the exactions which the poor people have to endure. How can soldiers and settlers, as well as Indians, make with good will the campaigns and expeditions which occur every day—the settlers and Indians, on account of what has already been said, the soldiers because of the prodigious work they do for the four hundred pesos which his Majesty gives them? The soldiers are paid every year to the value of one hundred and fifty pesos with clothing of the poorest quality, and the remainder is paid in supplies; whether they want them or

not, they must take them. Corn is sold at a regular price which does not rise or fall; it is four pesos of this country, equivalent to two pesos in silver. A *fanega* of wheat is worth the same; sheep, ewes, and goats, bring two pesos of this country; beans bring eight pesos of the country, and so on for other things. The soldier is furnished corn at three pesos and a half in silver, wheat at four pesos, beans at eight in silver; yearling calves are worth five pesos of the country, but the soldier pays eight in silver. A string of chile and onions costs one peso of this country, but the soldier pays one peso and four *reales* in silver. The governors make their largest profits on the tithes; since they have had charge of this tax the country has been even worse off. Formerly the settlers exerted themselves to sow, because the governors bought everything from them in order to supply the presidio, but now it taxes them to be able to sow enough for their own sustenance.

If the fathers attempt to oppose these things the governors easily bring proof to the contrary, and take up their pens in opposition to them raising a thousand calumnies against them, with the assurance that the fathers cannot prove them to be such. Evidence of this is a certain report made to Mexico by a certain governor who had not yet taken possession of his office; yet the report was drawn up, and in it one of the charges against the fathers was that they had haciendas or ranches on which they sowed at least twenty-five *cargas* of wheat, that the Indians paid exorbitant obventions, and other similar falsehoods. So well proven is the falsity of this slander that it is not necessary [to go] very far to contradict it. There are Indians and Spaniards who come to Mexico who can testify that at most there is sown [for the fathers] three *fanegas* of wheat and an *almud* of corn. I say, since the land is so fertile, that both wheat and corn do excellently. It may be asked to whom the fathers sell these grains. There is no export from here; each one sows what he needs, so what would the fathers do with so much grain?

As far as the exorbitant obventions which the Indians pay, if it is for obliging them to marry, this is done only when they are discovered living in concubinage, which is an invariable custom among them, so if they had to pay [for this service], would they ever marry? In baptizing the children, it is necessary for the father to ascertain carefully when they are born, for if he does not, they do not bring the children to be baptized, and if they had to pay an obvention, would they ever be baptized? Would they ever confess when they are ill? They would die without confession and the father would not know about it, and they would carry the body off to a ravine in order to avoid obvention. These things, and many others as well, we, the fathers, settlers, and Indians, endure because we cannot offer proof of them.

Numerous complaints have been made on the part of the fathers, the settlers, and the Indians alike, but, though their Excellencies have issued some orders, these have only served to increase the governors' insolence. Let the Indians of the mission of San Agustín de la Isleta prove this, for in the time of Don Joaquín Codallos,²⁹³ who was governor in the year

²⁹³ Bloom ("The Governors of New Mexico," *loc. cit.*, p. 155) lists Joaquín Codallos y Rabál as governor of New Mexico from 1743 to 1749.

1745, they appealed to the viceroy on account of some oppressions which they were suffering, and two of them brought back an order from the viceroy; [the governor] commanded that they be put into a cell. One of them died there, and after he was dead they took off his chains; the other, after four years, was given his liberty at the request of the fathers and the presidial soldiers, at the time when Señor Don Fernando [VI] ²⁹⁴ took the oath. Let the relatives of these men confirm this, and also all the Indians of Isleta. Let the Spaniards so state also, those who have come on different occasions to Mexico and have brought back orders from which they have obtained nothing. The fathers have complained of all these injuries, and in a criminal case which was prosecuted in the royal audiencia against an *alcalde mayor* of New Mexico the accusations were sustained, whereby also those of a prior complaint were confirmed. This was in the time of the most excellent señor, the Marquis of Albuquerque, ²⁹⁵ and as a result his Excellency issued an order ²⁹⁶ (as is evident from a copy which I have in my possession) dated May 18, 1709, in which reference is made to the incredible lie which the governors and *alcaldes* told, alleging that the Indians were working on a pretended castle; this work the viceroy prohibits as being subversive, he also forbids personal service to the governors and *alcaldes mayores* and other forms of oppression, as may be seen from the copy referred to and from the one which is in the registry of the [Holy] Office. But from that time until the present the situation has been growing worse. The judges who conduct the *residencias* have made agreements with the legal representatives of the said governors, and, no matter what deposition may be made, they at once attempt to have the calumny verified, and scare off [the accusers] by underhand methods. For this reason (the people being so destitute of resources as well as of other things which the occasion requires), they desist from giving their depositions, for [the governors] are powerful; as a result the judges have an opportunity to extort more from the governors, and they leave the situation worse than before. The governors are lords spiritual and temporal; in spiritual affairs (although it is proven that they do not possess the vice-patronage, they make use of it in matters not related to the patronage, even though they controlled it) the point has been reached where both governors and *alcaldes* draw up indictments against the religious, and do many other execrable things which are well known to everyone in the kingdom. So great is the persecution which the fathers endure on account of being the only ones who will oppose the governors, that even before they have taken possession of the government they take up their pens and write to our reverend prelates telling iniquitous things against the religious, so as to entangle us; proofs of this are contained in what I have already said, and the fathers, not having this facility, consider it the best course to remain quiet until God remedies the situation.

The fathers receive no credit whatever for their service to God or to our king. Evidence of this is the invasion of the enemy into the town of

²⁹⁴ Ferdinand VI was king of Spain from 1746 to 1759.

²⁹⁵ See note 210, *supra*.

²⁹⁶ This document is translated, *supra*, pp. 430-432.

Habiquiú in August, 1747, when they carried off twenty-three women and children, besides killing a girl and an old woman for having defended themselves. Reverend Mirabal, who was custodian and lived in the mission of San Juan, immediately reported this to the governor, who at the time was Don Joaquín Codallos. The governor paid no attention until the reverend father, moved by the unrest of all his neighbors, again wrote, and, as the affair was now public knowledge in the entire kingdom, the governor gave orders after four days, and they went out in pursuit of the enemy, but accomplished nothing because the latter had had plenty of time to get ahead of them. A few settlers went out to follow their trail and found three women dead and a new-born child; the rest had all been carried off. One of them was brought back at the end of seven years by the Comanches, they having been the ones responsible for this misdeed, while the poor heathen Yutas paid for it. At the time when they brought this woman the governor was Don Tomás Vélez Cachupín. This being the situation, what can the poor religious do about it all, burdened as they are with sorrows, unable to defend any one, and seeing so many souls lost without being able to find a means of proving all these things?

In El Paso del Río del Norte, in the year 1752, the captain ordered a Zuma Indian killed on account of five ears of corn. The Indian had been his weekly servant, and on the day when he finished his week he was carrying the ears away tied up in his blanket. A servant of the captain seeing the bundle went to feel of it; the Indian, fearing that they would whip him, threw off the blanket and started to run. The sergeant, some soldiers and some settlers followed him, and he took refuge on a little hill back of the mission of El Paso. They got him to come down by trickery, tied him, and the sergeant ordered the soldiers to beat him. The miserable Indian cried out saying that he was a Christian, and they should allow him to confess, and that they should call the white missionary father from El Paso. This was denied him; but the soldiers were unwilling to obey the sergeant, so he commanded a settler to shoot the Indian, which the perverse fellow did. After the miserable Indian was dead, the sergeant ordered him hung up on a plain, where he stayed until the fathers came to take the body down and give it sepulture.

From this occurrence came the uprising of the Zumas, concerning which all the residents of El Paso can give full information. Very serious losses resulted from this uprising. The Zumas united with the Apaches, and they harried all the roads with armed bands which could not be exterminated. Let the people of New Mexico tell how, on their return to their houses, having stopped near the hacienda of Ojo Caliente, they were fallen upon by the Zumas so suddenly that they did not even have time to take up their arms; but, leaving all their loads and their mules, had to take refuge in the house. The Zumas carried off all the mule and horse droves, the bales of clothing, and many other things which they were taking for their houses. The Spaniards were all left afoot, though some received relief in the form of assistance from El Paso.

Shortly afterward, these same enemies attacked the hacienda of El Carrizal, a little more than thirty leagues from El Paso, a number of

times and completely destroyed it, carrying off all the cattle and sheep, killing *peones*, women, and children, except some females whom they carried off alive. They sacked the house, and carried away a number of sacred vessels and ornaments. The hacienda remained deserted a long time.

The hacienda of Ojo Caliente was also abandoned; it is about three leagues from the former. Let Father Francisco García, presbyter and owner of the hacienda El Carmen, tell how many thousand head of horses and mules he has lost, which the enemy have carried off and are still taking, to say nothing of the *peones* whom they have killed for him. Let the valley of San Buenaventura, a valley rich in exceptional lands as well as in water, haciendas, and ranches, tell how it is almost deserted on account of the repeated invasions of the enemy, the deaths of Spaniards and the capture of many men and women who have been carried away. For this reason it was necessary for the governor of Chihuahua to take fifty soldiers with their lieutenant from the presidio of Guaxoquilla to protect this place, but even with all this the invasions continue. Another place farther on, called Casas Grandes, the site of a flourishing hacienda, is left deserted for the same reason. Namichilpa, the great hacienda of the deceased Almuina, and that of El Torreón, are also deserted, together with a large number of ranches grouped about both places. The mission of Namichilpa has been left almost completely deserted, obliging the father missionary to retire to another pueblo somewhat distant, he having seen confronting him the death from which he miraculously escaped.

Let Don Antonio del Castillo, *regidor* of Chihuahua, tell of the many thousand horses, mules and cattle he has lost at the hacienda of La Laguna. This gentleman and all the others are now suffering utter penury without any remedy having been applied. Let Chihuahua tell of the continuous incursions against the droves of horses and mules belonging to ore-refiners [*hacienderos de metales*], charcoal-burners, and wood-cutters. Finally, as a result of this new uprising of the northern Indians, the little that is left is being destroyed, and the land is in such a critical state that what formerly, with a little diligence, might have been remedied at small cost, to-day requires that his Majesty's troops be employed. If this is not done the land will suffer its ultimate decline, his Majesty will lose much of his royal possessions, and the church will have nothing left, because of the tithes which it has lost, to gather into the [heavenly] palaces.

The Jesuit fathers bear witness to the invasions which have been made and are still being made into their haciendas, as do the settlers of Chihuahua and its vicinity, all of whom suffer such poverty that they have left unprotected the Río Conchos, settled by many ranchers, who, on account of continuous robberies and murders perpetrated by the enemy, have retired up the river to La Jabonera. As a result, since both the Apaches and the Norteños know every inch of the ground, they have penetrated as far as this side of the valley.

May God in His mercy grant a remedy for so many disasters. I am persuaded, in view of the report of the most illustrious señor, the Bishop of Durango, who has obtained information of all this from his experience during his visitation, that he will remedy all that I have described. I

have been moved to boldness in writing this volume by the stimulus of my conscience, for God knows well that I have no other interest than the reduction of so many souls and the welfare of so many poor unhappy people, etc.; wherefore I affix my signature hereto in order that it may be valid. November 4, 1760. Fray JUAN SANZ DE LEZAÚN.²⁹⁷

*Report of the Reverend Father Provincial, Fray Pedro Serrano, to the Most Excellent Señor Viceroy, the Marquis of Cruillas, in regard to the Custodia of New Mexico. In the year 1761*²⁹⁸

Most Excellent Sir: The minister provincial of this province of El Santo Evangelio of Mexico and its *custodias*, of the Order of Saint Francis, with the greatest veneration and respect, declares: That in accordance with the Catholic zeal and integrity displayed by your Excellency since the beginning of your term as viceroy, in requiring that you be informed in detail of the state, conduct, and progress of the missions and conversions that this, my said province, has under its charge in the *custodia* of San Pablo of New Mexico, I have devoted all my attention to satisfying as far as possible the vigilant solicitude of your Excellency. Having for this purpose examined at length the archives of this holy province, the investigation has made me even more zealous in obeying, there having been discovered among the documents—and there are not a few in the *custodia* of New Mexico—a copy of the reply of the señor *fiscal* to the *real acuerdo* of this court, dated February 12, 1748, in which, in requesting compliance with the royal cedula of May 21, 1747, among the points addressed to the office of the minister provincial was that a report be made each year to the royal Council and to the most excellent señores viceroys of the state and progress of the missions, and other points provided by the royal mandate.

Having investigated in the said archive the manner in which my predecessors carried out this mandate, it appears that Reverend Father Fray Bernardo de Arratia, who was the first one to receive a printed copy of the cited royal cedula, gave zealous attention to the report, as will be evident to your Excellency in the careful account that he ordered to be made by Reverend Father Fray Andrés Varo, a very aged and venerable religious, who, after having been twice custodian, had come from New Mexico in the year 1749 to the next provincial chapter meeting. Taking this opportunity the prelate entrusted to him the task of making the said report, which was finished on the 29th of January of the said year, and, after having been verified by the father emeritus, Fray Gabriel de la Hoyuela, who had also been custodian, and by his secretary, who resided at the convent of La Santa Recolectión of this court, it was sent by the said father provincial to the most excellent señor viceroy, the Count of Revillagigedo,²⁹⁹ on February 4 of the said year. Copies of all these

²⁹⁷ F. R. B., Mexico, Apr. 16, 1912.

²⁹⁸ A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 27). The archive designation was omitted in the Bandelier transcript. Bolton (*op. cit.*, p. 470) lists Joaquín de Monserrat, Marqués de Cruillas, as viceroy of New Spain from 1760 to 1766.

²⁹⁹ See note 292, *supra*.

proceedings were kept in the said archive, as well as a copy of another very detailed report that the said Reverend Father Varo presented personally in the month of March of the said year to the said most excellent señor concerning the missions of La Junta de los Ríos, and the supreme necessity that a presidio should be established for them, for the very urgent reasons that he explained before returning to the *custodia*, he having been chosen as custodian for a third time in that chapter meeting.

Although at that time, most excellent Sir, the fire of persecution was burning inextinguishably against the religious of the *custodia*, all of them being oppressed in the most distressing manner by Don Tomás Vélez Cachupín (who had succeeded to the governorship in the year 1748), and although Reverend Father Varo had not informed the most excellent señor viceroy in his reports of these troubles (as will be made clear to your Excellency by the documents in the records of your superior government), yet the fact is that they increase immensely, emanating doubtless from the displeasure of the governor at what had been reported by the said father custodian, who, upon his return, found himself exposed to the most relentless persecution. His Excellency, perhaps in view of the reports, had sent Don Juan Antonio de Ornedal y Masa as *visitador* to the presidios, and as he joined with the governor and his allies, he conspired with all its fury to exterminate the religious from the *custodia*. However, though in the papers of the archives many documents and letters appear showing the sufferings of the poor friars, who sought consolation from the prelates, no detailed information of the points upon which the persecution was founded was had until the most excellent señor viceroy, in his decree of the 11th and note of the 15th of December of the year 1749, ordered that a certified copy of the very cruel and slanderous report concerning the holy habit and Order of the *custodia* and the ministry of the missions should be sent officially by his superior government to the reverend father provincial, Fray José Ximeno.

In view of this report and after the prelate [Father Ximeno] had replied to the said most excellent señor in the month of March of the year 1750, in a report worthy of your Excellency's most careful attention, he sent the original certified official copy from his Excellency to the said reverend father custodian, ordering with all urgency that he and his religious should reply formally to each one of the points and articles of the voluntary informer. This the said father custodian did, sending by a religious a very bulky collection of documents, each and every one of which was more than sufficient to refute the points, although it was impossible for these to have arrived earlier than nearly the middle of the year 1751.

When I reflect with care to-day, most excellent Sir, that the originals of all these reports remained in this archive without the least indication that during the provincialship of the said Reverend Father Fray José Ximeno, who received them (and who is now deceased) they were presented to the most excellent señor viceroy, I believe, knowing the great wisdom, discretion, and learning of the said prelate, that he must have abstained from presenting any report, either because these documents

were so numerous and so diffuse that he considered that under the circumstances they would only serve to confuse the mind of your [his?] Excellency, or because he thought that as more than a year had passed since he had replied to his Excellency, it would seem an untimely action, or have the appearance of vengeance, to produce such incontestable replies to those unrestrained slanders. From this I come to the conclusion that all the said documents have remained in this archive without being examined by three [successive] reverend fathers provincials, or, that if any examination was made, they must have been awaiting an opportunity when some kind of petition would not appear untimely.

But now, most excellent Sir, I not only believe, but I am certain, that the Catholic desire of your Excellency and the suggestions of my superior prelate that inquiry should be made in the archive of this province for the most detailed information concerning the state of the missions, is one of those special dispensations, gentle but strong, of Divine Providence, so that, all of my attention being devoted to this matter, there should be discovered among the documents transmitted by the said Reverend Father Varo in the year 1751, the most detailed original reports of different religious to the said reverend father provincial. These my reverent obedience on the one hand, and on the other my grief, my fear, my pity, and my amazement, will reduce to a résumé in this paper, in order to expose to the Catholicity of your Excellency what an unbridled tempest of dangers has inundated that kingdom (as has happened so many times, shedding the blood of more than eighty religious, and innumerable citizens, and Christian Indians), making it an evident miracle that that Christian community has not been entirely destroyed. I have no words, most excellent Sir, to represent what I feel, and this task can only be undertaken by the truly apostolic spirit of the very learned and zealous Reverend Father Fray Andrés Varo, who, since he came from Spain as a missionary in the year 1718, has been and is (for he is living) one of the firm columns upon which that Christian community has rested, for besides several missions that have been founded in it by him, others have been increased, converting many heathen to God.

If your Excellency should so desire, my humble obedience would place in your hand the original report of this reverend father; I refrain from presenting it in order not to burden your Excellency's attention, for it contains more than forty pages. Upon reading it, not without extreme emotion of my heart and even oppression of my spirit and conscience, I judge it to be as necessary, urgent, and obligatory to my conscience before God to bring this information to the Catholic attention and Christian zeal of your Excellency as it would be inexcusable in my obedience and fidelity as a loyal vassal of our lord, the king, if I did not do it. I ought to assert, in consideration of what the said reverend father states in the said reports, referring frequently to the archive of my province for reliable information from the archive of that *custodia*, that there never has been made to the superior government of the most excellent señores viceroys, or to this holy province, any report comparable to that of the said reverend father, in which he describes fully and in detail everything

that your Excellency may wish to know about all that is happening in that unhappy kingdom and distressed *custodia*. Because of all this, most excellent Sir, I shall not use my own words, except in a very few instances, for in all that will be stated in this paper, drawn in *résumé* from the diffuse report of the said reverend father of the year 1751, as well as from the letters of other religious from the year 1758 to last year, my veneration will express it literally in the same form in which the reports speak, especially the diffuse report of the said reverend father to the reverend prelate provincial, containing repeated protestations of the Divine Wisdom, and oaths and attestations *in verbo sacerdotis* in his own name and those of all the religious of that *custodia*. He speaks as follows in his number 48:

48. "What, then, does it matter that we shall call ourselves shepherds, or proclaim ourselves to be such, or testify with all these documents that I am transmitting to your reverence to the performance of our ministry, if, on the other hand, and by so many methods of tyranny, we see some of the sheep of the flock of Christ flayed and others exposed in the throat of hell and do not risk even our lives for them? And what, then, can our grief infer except that the tempest of the present persecution against our honor is by divine permission, because we do not again report, for the honor of God, as his ministers and the faithful vassals of our king, to him who can and ought to remedy all that occurs with regard to the injustices (not the justices) in these kingdoms? [We have failed] through various respects and timidities lest they blame us for omissions in the past, or for fear of incurring the charge of being captious, seditious, disturbers of the kingdom, and violators of the peace, and as such deserving the severest censure from the most excellent señores viceroys, and the displeasure of our prelates. But, since we have passed and are passing with all patience through such dishonors and calumnies at the cost of our grief and tears, we are ready to endure for the cause of God whatever greater affronts may be suffered, and we will receive them joyfully, in order to atone to some extent for the faults of our omission and silence in the past and escape in the future the severity of the Divine Judge, whom alone we ought to fear, since he alone can condemn soul and body to hell.

49. "Under these protestations of fear, I declare, our father, that all that I have reported and replied up to now to the report that was presented to the señor viceroy against our honor and the credit of the missions of this *custodia*, is what I have the right and obligation to reply, and in order to vindicate ourselves against these calumnies and testify to the truth I have not found any other way than to transmit to your reverence these documents and judicial proceedings. If this be not sufficient, nor the subjoined reports of the father vice-custodian, Fray Manuel Trigo, of Father Fray Andrés García, of Father Fray Juan Sanz de Lezaún and Fray Manuel Vermejo, and of Father Fray Juan José Oronsoro, and if there should be needed, in regard to what I have said and what remains for me to say (which is the most important, for it is concerned solely with the honor of God and the service of the king), other evidence of more weight to the most excellent señor viceroy, I can offer no more

truthful attestation than the sanctity of the oath, which I give and ratify many times *in verbo sacerdotis coram Deo Iesu*, that what I have said and am going to say is the whole truth, signed by my name in my own hand. . . .

"And if in what I am going to say it shall appear that I exaggerate, over-draw, pretend, and enlarge, as a seditious and captious person, and an agitator and disturber of the kingdom (which are the encomiums that they give us when we try to defend the honor of God and the service of our king), your reverence has a good means of confirming the truth of what I say with many God-fearing religious who have lived in this *custodia* at various times and who are now in this holy province. The most excellent señor viceroy can, if it pleases him, get information from them by stating to them in an interrogatory all that I am going to say, for our departed *visitador* neglected it entirely. I first protest, under the same oath that I have already given and which I have ratified many times, that I am not moved by any feeling of hatred, rancor, anger, vengeance, or ill-will—for this is foreign to my nature and incompatible with going every day to the sacred stones of the altar—but only by the discharge of my conscience and the consciences of my brothers, the religious, the good of my neighbors, the honor and glory of God, and the service of our king. All of this I thus declare.

50. "Let the introduction to the expressions of my grief and that of all of us religious who live in this *custodia*, in order to express the sorrowful and more than sorrowful state in which this kingdom is at present and which has been mourned for a long time back, be that mysterious lament of the eternal wisdom, which cannot be deceived or deceive us: *Ubi*⁸⁰⁰ *tibi terra, cujus rex puer est, et cujus principes mane comedunt.*"

Here, most excellent Sir, after applying this sacred text to the troubles of that kingdom in the times of other governors and the very serious ones that were experienced in the year 1751 with a governor who was young, but enough of a man to cause the disturbances with which he had the kingdom in confusion, and after lamenting with the prophet Jeremiah the trampling upon the law of God, etc., the said Reverend Father Varo exclaims:

51. "Oh land and kingdom of New Mexico! So long oppressed, humiliated, and persecuted, so often not governed, but tyrannized over by these unworthy chiefs, who, having been honored by our Catholic and most zealous kings with the governorship for the purpose of establishing peace, administering justice, upholding the law of God, protecting the poor, especially the unhappy Indians, and defending this community of Christians from the heathen who surround it on all sides, do not do so. For many years our governors in these parts [have been remiss]; some are more cruel than others, for simply by their appearance on their first entrance they cause greater damage in the kingdom than its worst enemies. If many tears have been shed by its inhabitants because of the tyrannies

⁸⁰⁰ Possibly a miscopy for *vae* (woe). See Ecclesiastes 10: 16, which reads: "Woe to thee, O land, when thy king is a child, and thy princes eat in the morning."

and injustices (of which I shall speak) of some governors advanced in years, how many must have been shed because of childish governors like the present, without maturity, knowledge, or experience? It is public and notorious, our father, that most of these governors (I do not wish to say all, for that would be extreme, and I go every day to the foot of the altar) have sought their living in these kingdoms and have come there to seek it, and if they have secured through their offices the large sums of money that many have shamelessly boasted of, they have in reality taken out much more, for if some have come in poor they have gone out rich, and if they have entered rich they have gone out powerful.

"Now, if these men come in burdened with debts, as they complain, in the poverty that they affect, and so eager for gain above all else, is there any one who will believe that while they are filling their empty pockets, paying off their debts, or satisfying their hunger, as the case may be, they come to New Mexico to succor the poor, to relieve necessities, to encourage Christianity, to promote religion, to administer justice, and be fathers to the kingdom? I say no more, for what we all see and lament is that, not being able through the functions just mentioned to satisfy their hunger, greed, and ambition, they only try to get rich, to free themselves of debts, and to go out full, satiated, glutted, and powerful, seeking plans and inventing means, without losing an hour or instant from the dawn of day, to prepare the table: *mane comedunt*.³⁰¹

52. "Now whence comes so much wealth except from so much eating at the expense of this kingdom, poor for itself but rich for these men? Alas for thee, kingdom, that must supply [wool for] all the continual weaving, because the governors distribute all the wool from what they call their tenths, and as much more as their *alcaldes*, lieutenants, and Indian governors can collect. In each town where weaving is done they leave a portion of this wool, allotting to the Indians the task of washing, combing, carding, and spinning it, and making the blankets, all to be done within a certain number of days. When the work is finished, the distributors of the wool return for the blankets, and the unfortunate Indians, as a reward for their labor, are forced to toil further in taking the blankets, either on their backs, afoot, or on their horses if they have them, to the governor's palace. No attention is paid to the respective distances of each pueblo, so that it falls to some to travel eight, twelve, twenty-five, or forty leagues, and others forty-five or even seventy. This appears incredible, but the Indians of the mission of Zuñi declare that they travel seventy leagues, loaded. The same thing happens in the transportation of tithes throughout the kingdom, for the poor Indians themselves collect and carry them in groups, under the *alcalde mayor* or the lieutenant of the pueblo, gathering from ranch to ranch, and from house to house, grain, seeds, calves, sheep, and hogs (where there are any), chile, wool, onions, etc. They transport these things (the Indians have already taken from their respective pueblos, carts, oxen, horses, mules, sacks, and every means of carriage) to the town of Santa Fé or the place where they have to deliver them.

³⁰¹ See the text to which the preceding note refers.

" This immense labor does not stop here, for when corn is to be shelled for the soldiers' rations, the *alcalde* or lieutenant asks for half a *pueblo* of Indians—men, women, and children—who go to the place where the corn is shelled, with great labor, by striking or rubbing one ear against another with the hands, producing in this way fifteen or twenty *fanegas* of corn. To this another task is added for both men and women, for out of the great amount of wheat or shelled corn they have to grind by hand fifteen or twenty *fanegas* into flour for the *señor* governor, and the poor Indians have to carry it to the villa, each one traveling with his horse a distance of thirty leagues or more, over rough roads and through very dangerous country; and if through any contingency there is a lack of corn or wheat the officials buy it from Indians in exchange for what they need, but at half the price that it is worth. For none of these immense labors do these unfortunates receive any other reward, wage, or recompense than this: that it is for the *señor* governor, it belongs to the *señor* governor, the *señor* governor orders it. Nothing more? No, nothing more; and to these sorrows, labors, and services, to this oppression and slavery, these daily tasks and fatigues, these pharaohs and their subalterns (whom I shall point out individually) add so much that each nation of these reduced neophytes, each *pueblo*, family, and even each individual, can with perfect truth complain in the words of the prophet, '*et super dolorem vulnerum meorum addiderunt.*'³⁰² To their slavery and affliction in a service filled with afflictions is added that of eight or ten Indians going every week from each *pueblo* in its turn as shepherds to take care of the cattle and sheep at the ranch called that of the *señor* governor, the distances from the *pueblos* to the said ranch being twelve, fifteen, or twenty leagues, more or less. Furthermore, they go at the governor's order to shear the sheep, the poor Indians even having to furnish the shears; and when they want them to make new corrals they have to bring even the logs and the axes and picks. And what is the pay for these services? Let it be told by each one of these poor creatures and I know, I know, that each and every one would reply in the words of the prophet, '*et super dolorem vulnerum meorum addiderunt.*'

53. " This example set by the governors is followed so well by *alcaldes mayores* and their lieutenants that, if it be a matter of the weaving the Indians weave what they wish, and if it be the planting, the unfortunates have to sow in their *pueblos* and districts wheat and corn, care for it, gather it, and guard it to any extent that these gentlemen ask; and then after it is shelled or ground into flour the Indians have to carry it any distance required. As it costs these gentlemen nothing except to order them to grind it, they sell flour or grain either for less or for much more than it is worth. Moreover, they take from each of the *pueblos* that they have in their charge as many Indians as they wish, sometimes to open ditches for their houses or lands, sometimes for their annual cleaning, sometimes to plant or weed the crops, sometimes to shear the sheep, if they have any; and the wool from the latter and more that they collect

³⁰² " They have added something greater than the pain of my wounds." The authorship of the statement has not been ascertained.

is loaded upon the Indians to be woven in their pueblos. Likewise, they take as many Indians as they wish to make adobes for them to build such or such a house (which they have never had before).

"Upon succeeding to the position of *alcalde*, they do as they please, merely ordering that Indians shall come, and they treat them so badly that they have no place in which to take shelter and refuge at night, for even if it rains they sleep in the fields. These *alcaldes* do not visit their pueblos except to order them to weave, or to collect what has been woven, or to barter with the Indians, or to gather pots, plates, jars, jugs, etc., or for services and oppressions for the profit of the governors. Everywhere there is nothing but, 'let Indians come,' 'let Indians go,' 'let the Indians carry that,' and if anything is broken on the road or any damage occurs the poor creatures pay for it with lashes and blows. These *alcaldes* never conduct themselves in the pueblos in any way that yields any benefit to the Indians or aid to the missionaries for the encouragement of religion, for they never go to the church at the time of the roll-call [*cuenta*], even out of curiosity, to see whether they [the Indians] fail to attend mass. On the contrary, what happens most often is that we religious suffer many injuries, outrages, and afflictions from the *alcaldes* if we try to defend the unfortunate Indians in any way, and they start such persecutions against a poor friar, charging him with crimes that he has never committed, and suborning witnesses, that they do not stop until they have driven the religious from one mission to another. The *alcaldes* laugh, for they alone are favored and protected by the governors, for whom the best *alcaldes* are those who oppress the Indians most.

54. "Everything that has been said in the preceding paragraphs contains such outrages against and contempt for the royal laws that in order not to fill this paper with citations of laws and *títulos* I omit them. But, because in the whipping by these tyrants of those on the outside, some of their lashes fall upon those on the inside, I will state briefly that, in addition to the fifty or sixty thousand pesos that they usually put into their accounts during the time of their governorships, they also cut short the many thousands destined for the five years' pay of their poor soldiers, as they who do it and the soldiers who suffer it will testify.

55. "Oh how I wish that what my grief is going to state, in mere outline, the most excellent señor viceroy, the señor *fiscal*, or the señor *auditor de guerra* might see! When the Indian trading embassy comes to these governors and their *alcaldes*, here all prudence forsakes them, or rather I shall say that they do not guess how completely they lose their bearings, because the fleet is in. The fleet being, in this case, some two hundred, or at the very least fifty, tents of barbarous heathen Indians, Comanches as well as other nations, of whom the multitude is so great that it is impossible to enumerate them. Here the governor, *alcaldes*, and lieutenants gather together as many horses as they can; here is collected all the ironware possible, such as axes, hoes, wedges, picks, bridles, *machetes*,³⁰³ *belduques*,³⁰⁴ and knives (for the enemy does not lack iron and these other commodities).

³⁰³ Large knife for chopping.

³⁰⁴ Large heavy knife (Mexican).

“ Here, in short, is gathered everything possible for trade and barter with these barbarians in exchange for deer and buffalo hides, and, what is saddest, in exchange for Indian slaves, men and women, small and large, a great multitude of both sexes, for they are gold and silver and the richest treasure for the governors, who gorge themselves first with the largest mouthfuls from this table, while the rest eat the crumbs. Here only God can so confuse this innumerable multitude of Indians—barbarians, cannibals, armed, and mixed with numerous apostates from our holy faith—that they do not ally themselves and unite in secret treason with the Christian Indians, oppressed and tyrannized over in the manner that I have already described, and make a general attack upon the entire kingdom, especially when the blindness and greed displayed in these markets or fairs reaches such extremes that, heedless of the trading, or of God, or the king, or the law, or the kingdom, or even of themselves, these men with their wrongs and injustices stir up these barbarous nations, and lead them to conspire. There has already been such an occasion when they attempted to begin hostilities, and they had already announced war and taken up arms, when it was by our Lord God alone that they were appeased, in this instance through the medium of a religious who is still living. Among many other infamies there is one of such a nature that if I did not so desire a remedy I would remain silent, since it is so obscene and unfit for chaste ears. It is the truth that when these barbarians bring a certain number of Indian women to sell, among them many young maidens and girls, before delivering them to the Christians who buy them, if they are ten years old or over, they deflower and corrupt them in the sight of innumerable assemblies of barbarians and Catholics (neither more nor less, as I say), without considering anything but their unbridled lust and brutal shamelessness, and saying to those who buy them, with heathen impudence: ‘ Now you can take her—now she is good.’ The laws that are broken in this hellish ceremony or exhibition alone I have already cited in number 38, but the consequences that follow from it can only be wept for, for it is impossible to fathom them and much less to tell them.

56. “ And what shall I say about the terrorized, subjugated, and oppressed state in which these governors hold the white people, soldiers and those who are not soldiers? Tyrannized over and outraged equally with the Indians (although in a different way), all would raise their voices in the palace of the señor viceroy if it were not that fear of these Pharaohs keeps the doors tightly closed on their outcries, which are made still more difficult by the distance. I shall indicate something of this gigantic wrong, among the accompanying documents, in a certified copy of a confirmatory statement which I send on behalf of Don Antonio de la Fuente, retired lieutenant of the presidio of El Paso, [in another] of Don Ramón Páez and of other citizens and of the religious who subscribe to it, as a legal writing in their names and in those of all the residents of these missions, which they requested from me as custodian. [I submit it] so that, in view of what is petitioned and sworn to by the citizens, there shall be no appearance of exaggeration in my true statements in regard to the governors—that, under the cloak of the royal patronage, which they trample

upon and elude, nothing is to be done except what the governor desires, and everyone must desire the same thing, whatever it may be; and if any one resists, or stops to think, or hesitates to obey (because of the mandate being unjust, iniquitous, and pernicious), in comes persecution and tyranny.

"This power goes so far as to discharge its fury upon the priests, and to oppose the authority of the missionaries in the education and training of the Indians. In regard to them the governors do not by any means desire that we shall have anything that smacks of authority, or that we shall decide concerning their instruction, which by all rights is incumbent upon us; and as the Indians observe this it is with great difficulty that we subject them to what is very necessary for the good of their souls. These gentlemen act against all laws, divine and human, and trample under their feet law 65, book 1, *título* 14; law 23, book 5, *título* 2, and many others bearing upon these matters. From this it follows that they upset, suspend, and disturb for us the whole Christian government with their constant withdrawals of Indians, men and women, and with the tasks and journeys that have already been related. Ah, our father, only God knows what follows and has followed from these weekly withdrawals of Indian girls or married women from the missions to the governor's palace, but what I assure you and what we have often noted is that usually those who take out these Indian maidens, and some that are not maidens, choose the most personable ones. Now what can be inferred from that, especially when we have noted and seen that some return to their pueblos deflowered and weeping for their dishonor, or pregnant? And if they ask me why in view of this their missionaries do not make complaint, I reply that it is because they cannot, for if they do a thousand slanders are forged against them; and if they urge me to call to the attention of the governor and *alcaldes* laws 1 and 2 of *título* 6, book 3, and law 38 of book 1, *título* 14, I reply that there is no other law for these powerful persons than *sic volo, sic jubeo, etc.*

57. "Then who is to oppose the arrogance of these persons in power? When, in the years since the mission of Zuñi has been ruined, through lack of protection and assistance on their part, the most we obtained when we asked for it was a very small escort, as appears in the subjoined report. This mission of Zuñi, most excellent Sir, is the most [endangered] because it has more than two thousand Indians and is the most isolated and remote in the kingdom, for it is seventy leagues from the capital villa of Santa Fé."

Reverend Father Varo says that the reason for its ruinous state is that, as this great pueblo is the refuge and Rochelle where are gathered nearly two thousand more Indians, who are fugitives from the other missions because of being oppressed by tyrannies, all these four thousand live without subjection to the religious missionary, who himself lives in constant expectation of death in an uprising, especially as these Indians are neighbors and allies of the extensive province of Moqui, which is entirely occupied by Indians that have apostatized from the faith since the general uprising of the year 1680, and in those that followed afterwards. For all these reasons the religious have often made complaints and have reported

this disorder to the governors, but the latter have been unwilling to station an escort in this pueblo, not considering how impossible it would be for one poor religious, alone and without any defense, to control four thousand crafty Indians.

"Nor is there any one who would dare (continues Reverend Father Varo) to defend the rights of the Indians, even for reasons so urgent as their education in the doctrine, and with the laws in his hand, since [the affair of] Father Fray Francisco Sánchez, to whom was owing the complete reduction of the Zuma Indians, who apostatized and revolted in the year 1745 in the newly-formed curacy of Las Caldas. After having reduced them and brought them to the mission of El Realito ³⁰⁵ . . . with many heathen, in order to catechize and baptize them, the father came out poor, in flight, and practically banished by the governor. Offended by the entire lack of respect with which he was abused and insulted for defending the cause of God and the catechism of the Indians, he replied with law 3, book 6, *título* 5, but it availed him nothing, and, seeing that not even the divine law was considered, he set himself to oppose everything, even though it were at the risk of his life. With ardent zeal he withdrew his catechumens, against the will and resistance of these magnates, and went with his Indians to their mission to continue his apostolic task. However, in consequence of the aforesaid occurrence, he did not finish it, but immediately set out to present regretful complaints to the most excellent señor viceroy in regard to the injustices of these governors; and as I quote the personal statement of the said father, your reverence can verify it, for he lives in the province. And I, most excellent Sir, can present him to your Excellency with the assurance that he is a person of many natural endowments, and that he was *definidor* in the group of Capuchins who came from Spain in the mission of the year 1742.

"Will there then (continues Reverend Father Varo), in view of these occurrences, of these outrages, and of these insults, be any one to speak a word to these tyrants, since they are totally opposed to the law of God and it seems do not regard his priests as Christians? I will say more: that their pride not being content with having beaten down, oppressed, slandered, and dishonored the missionaries of God, and having banished many of them, there have been governors who have very nearly gone so far as [to strike the fathers, as will be affirmed by those] ³⁰⁶ to whom this has happened, which seems to me to be the lowest depth to which the perdition of these men descends. . . .

64. "In confirmation and proof of what I am going to say I ask for the honor of God that your reverence will reflect again upon the attacks, robberies, murders, and hostilities of the barbarous Indians which I have related so minutely in number 62, as occurring in only two years, 1749, 1750. and the beginning of the present, 1751. For what purpose was I so

³⁰⁵ The name of the above-cited mission is followed by an unintelligible phrase, *moxo Appco.*—C. C. S.

³⁰⁶ Some words seem to be missing here. Perhaps the writer intends to say that some governors have nearly gone so far as to strike the priests, as he so states a few pages further on.

prolix in naming houses, sites, places; in stating the number of dead and wounded; in calling by their names the injured and those who offered their lives in our defense? Well, in the first place, in order to show that if such destruction has taken place in only two years, how great must be that which we have lamented for more than thirty years, and that without mentioning what has happened in the interior of the kingdom. Second, in order to demonstrate with facts the effrontery and fury of the heathen Indians and the apostate Zumas, in league with the barbarians of their nation and the Apaches, in penetrating even into the settlements, missions, houses, farms, country houses, and ranches; and to show the lamentable damage and misfortunes that have followed (and will follow if God does not remedy it) from the tyrannies and cruelties that I have related in numbers 59 and 60."

Since the said paragraphs, most excellent Sir, are diffuse, I refer to numbers 9 and 10 of the subjoined original report of Reverend Father Fray Carlos Delgado, in which these facts are stated more succinctly.

"Third (continues Reverend Father Varo), by way of proof of the complaint that I shall make, in all those injuries, murders, wounds, robberies, and attacks perpetrated by the enemy, as related in number 62, is there mention of any effort to help on the part of the governor, or the captain of El Paso, or of any measure whatever to restrain the fury of the barbarians and the rancor of the apostates? It is certain that in none of these troubles is there mention of assistance from any of these gentlemen, and indeed if it had been received, even a single time, I could not in honesty and truth pass over it in silence. Why then did not this governor, who boasts of being captain-general of this kingdom, arouse this neglectful captain of El Paso and these sleeping soldiers? I will tell it, in discharge of my conscience, which I unburden to your reverence, so that by the wisest means that your discretion may choose, through zeal for the honor of God and the service of our lord, the king, the señor viceroy may learn (what he is no doubt ignorant of because they are deceiving him, as many governors have deceived many viceroys) that the reason is because neither the governors nor the captains care for anything except their own well-being, comfort, and advancement. They attend to nothing except to keep their agents in Mexico so that in any affair or discussion that comes up before the señores viceroys they can rudely thrust in their shoulders to give credit [to the governors] for services to the royal crown, to proclaim their great undertakings, to applaud their zeal in religion, and, finally, to represent them as universally acclaimed, giving a false impression to the upright minds of these princes, who, without doubt, do not know how closely these governors and captains keep in touch with their factors. Relying on them, they either sleep on their arms in order to increase their property in peace, by the means that I have already described from number 51 on; or if they make any campaigns they very soon un-make them, for they only aim 'to fulfill' and 'to lie,' which two infinitives, by dint of being repeated many times by these gentlemen, enter into our eyes as well as our ears, and even reach as far as our hearts—this 'to fulfill' and 'to lie'—for although it is true that they fulfill their duty by going

out on various campaigns, it is also true that they lie, for as soon as they go out they return again. This is the truth, and not the lies that they report, the deeds that they pretend, and the enterprises that they exaggerate; for it is known to all of us that if anything is done it is not done by those gentlemen but by the poor citizens, those in the interior of the kingdom as well as those of El Paso del Río del Norte, who, although they are very poor, lowly, and humble, alone expose themselves and deliver up their lives, shedding their blood for God, for their king, for their country, and for their brothers, and throwing themselves like lions into any undertaking against the enemy.

65. "But I will make clearer the reason why these gentlemen do not achieve any feats themselves: First, because of their utter lack of knowledge and skill in the military art and experience in the affairs of this kingdom. For what knowledge or experience can men have for enterprises of such an arduous nature as occur in the campaigns against these barbarians, for this captaincy-general of the government, or for other captaincies of presidios, and other important military offices, who come from the ease of their own homes, or from trading at the counter of a shop or warehouse, and attempt to order everything, without deigning to learn from their captains, sergeants and *alférezes*, retired practical soldiers, and other soldiers that are respected throughout the kingdom, where at the cost of wounds from arrows and *macanas* they have learned the art of fighting against these barbarians?

"The second reason, and one to be seriously considered, is that as these gentlemen think more of their own advantage, fortunes, and property than of the fulfillment of the obligations of their offices, it follows that they do not seek capable men for military service, but for their own interests (not those of the king, our lord) they seek and appoint soldiers suited to their purposes. The results of this policy are now apparent, both in the suspension of *plazas* [enlistments] and in the issue of the campaigns. There is at present a captain who, on seeing another captain give a *plaza* to a poor man because of his valor and military experience in this kingdom, said to the other captain (and I could name both if it were necessary): 'Come, señor captain, do not give *plazas* to these men, but to boys and youths who can work with the oxen and horses and render other services that we need,' for with the latter, they suspend their *plazas* for any trifling reason. Will such effrontery be believed? But whether it be believed or not, together with everything said from number 51 to the end of this report, I now state, proclaim, and vociferate all these things in this paper, in my name and in that of all the religious of this *custodia*, so that we may no longer be criminals before the righteous tribunal of God, in that, being the guardians of his divine honor in this *custodia*, we allow ourselves to be blinded by human considerations, and being the mystic watch-dogs of the house of God and seeing so many evils (as his Divine Majesty laments in the prophet Isaiah),³⁰⁷ we cannot bark because the drowsiness of our neglect has put us to sleep, for which we may be convicted in the

³⁰⁷ Isaiah 56: 10— "His watchmen are blind; they are all ignorant, they are all dumb dogs, they cannot bark; sleeping, lying down, loving to slumber."

court of God not only as accomplices, but as criminals and aggressors in the *mutus non obstands, non manifestans* [dumb not offering opposition—not giving anything].

66. "But now I bark, our father; in this paper I now make an outcry, and God grant that my barks may reach the ears of the most excellent señor viceroy, for I assure your reverence, in the discharge of my conscience, that this kingdom is moving rapidly toward its destruction from hostilities of the barbarians, so that those related in number 62 are but a negligible fraction of this gigantic evil. If I turn my eyes to the inhabitants—always faithful vassals of our lord, the king—I find them, in the interior of the kingdom as well as at the missions of El Paso, inconsolable and confused at finding themselves so harassed, beaten down, terrorized, and despised as a reward for the loyalty which always marks their actions. If I turn my attention to the Indians of the missions of the interior and those of La Junta de los Ríos, notwithstanding that the ministers of God, of whom there are five, labor in them with the same determination as in this Junta del Paso, they only arouse our grief at seeing all our hopes and our labor frustrated, without assistance, encouragement, or patronage. The Indians are indulged in their vices, dances, *estufas*, superstitions, witchcrafts, and idolatries in the mountains, while we receive no favor, but on the contrary are interfered with when we try to compel the vicious and rebellious to receive their instruction and catechism. On the one hand they give them protection in their disobedience to us, and on the other they harass and oppress them, tantalizing them in order that they shall become exasperated. Now what can we expect and what must result in consequence of seeing the law of God trampled upon, and with it the royal laws outraged, the royal patronage corrupted, the señores viceroys disobeyed, the ministers of the altar outraged, slandered, dishonored, and hourly expecting that our lives will be sacrificed to the fury of the barbarians, in these present times more daring, bold, and impudent? And what will become of this kingdom if the domesticated Indians, whose uprisings have never had any other motive than their annoyance at seeing themselves harassed and vexed, conspire in secret alliances with them? I can assure your reverence that if it had not been for these evangelical ministers there would have been greater ruin to mourn, and more irremediable destruction, than that which all the missions suffered in the year 1680; and this [kingdom] would now have been lost if, at the cost of suffering outrages, slanders, and persecutions from our [natural] benefactors, we had not borne up under these injuries in order to defend these poor Indians, easing their burdens with all love and patience, advising them, consoling them, instructing them, exhorting them, and sheltering them as tender mothers shelter their children and a hen its chicks, so that they should not apostatize and return to heathenism. . . .

79. "Let what has been said suffice, our father, in order not to weary the mind of your reverence, so that you may read in this paper the statement of what is but a tittle, less than a mere scratch, of what we are to-day suffering while we serve, for we serve while we are suffering an active death, a long-drawn-out martyrdom, and each missionary can say with

entire truth that *in mortibus frequenter* [in death oft], that *tanquam morientes* [as though dying] of the apostle, Saint Paul,³⁰⁸ and this only in the exercise of the ministry and the labors necessarily pertaining to missions and conversions. But when I come to the persecutions and oppositions which we suffer from the arrogant governors, alcaldes, and lieutenants, if we try to defend the Indians from the abuses mentioned; if we attempt to interfere with scandals, abominations, and public offenses against God, desecrations of temples, the trampling under foot of ecclesiastical immunity; if we quote and cite the royal laws so that they may be fulfilled; if we give warning and notice of the seventh excommunication of the bull *In Cena Domini*, directed against those who carry arms, either offensive or defensive, to the infidels, etc., in order to put a stop to the execrable and accursed trade with the gentiles, so that they shall not furnish them with arms, horses, or offensive weapons; if in conformity with the divine law and that of our ministry, and of the *Recopilaciones*, law 65, book 1, *título* 14, and law 66, book 3, *título* 2, which speaks of New Mexico, we ask for help in reducing and pacifying the innumerable people of diverse nations who have apostatized in the uprisings; and, finally, if we insist upon the erection of the presidios so many times ordered by the señores viceroys, or upon escorts for the security of the ministers who are in greatest danger (as are those at the most distant mission of Zuñi), upon each one of these points and innumerable others of our obligation, it would be impossible to note the repeated instances in which we have been made victims on the altars of patience of the harshness, arrogance, and wrath of these gentlemen. Much less could I reduce to figures the outrages, insults, abuses, and affronts that we experience; the oppressions, disregard and disrespect that we suffer in our persons, holy habit, character, and ministries; the calumnies, dishonors, *autos*, and indictments which are instituted against the religious by the governors, who conspire and call false witnesses to their tribunals of iniquity, without respect for the sacred canons, bulls, or excommunications; this, if it appears to be an exaggeration, may be proved by the judicial records of the government of the kingdom. By what governor of the other kingdoms of New Spain would the ecclesiastical immunity and the Order of Saint Francis be so outraged, and respect for the temples so trampled under foot, except by the governors of New Mexico? Where except here, when Father Fray Antonio Arteaga was preaching in this mission of El Paso and exhorting the populace to venerate the Roman Pontiff, simply because he said that the king of Spain was the right arm of the pope, has a governor risen up and shouted at him, 'You lie, you lie, father, for the king comes before the pope'? Where but here have priests been seen many times kneeling at the feet of the governors, while they heaped insults upon them and threatened them with the staff? Where has any governor dared to threaten that he would make the religious leave the kingdom for Mexico thrown across a mule in two pairs of irons? Yes, yes, and this governor is the one who is now governing, Don Tomás Vélez Cachupín, and the religious

³⁰⁸ See 2 Corinthians 11: 23—" . . . in prisons more frequent, in deaths oft."

whom he threatened with such an iniquity were Fathers Fray Pedro Ignacio del Pino and Fray Andrés García, for whom he had the boldness to endorse the obediences under which he caused them to be banished to other missions, they being innocent. Where but here do they throw themselves into the temples, either into the courtyards on horseback, or into the church up to the very altar with their spurs on, and by a secret order signed by a governor drag criminals from the temple, sometimes with blows causing bloodshed, while it availed the offender nothing to embrace either the altar or a holy image of Christ? This has happened not once but many times, and the citizens of the kingdom themselves will be witnesses to it. What Catholic governor and loyal vassal of the king will be found in New Spain anywhere except in New Mexico who, when the whole kingdom was surrounded by enemies of the faith and overwhelmed by the cruelty of heathen and apostate Indians, would leave the soldiers and presidios without powder, selling all of it in Chihuahua? Of what governor in any other kingdom can it be said that in place of providing the presidios and missions with engines, mortars, and bombards, or at least with pieces of artillery or stone-mortars (which the Indians hold in great horror), he would order that the artillery that was at the mission of Galisteo should be broken up or taken apart? As long as it existed in the said pueblo the enemy did not venture to attack it, but when it became known that this defense was gone, it was the signal for an attack upon the mission in which many people were killed and those who escaped were left perishing, and it remained exposed to other assaults. And why was this artillery dismantled? It will appear incredible, but the citizens will testify that a señor governor of our times ordered to be forged from it knives, awls, and other instruments to barter to the heathen in their trading fairs which I have already lamented, in number 55. I could not finish, our father, without being even more diffuse, and therefore I only say, before God, whether to your reverence or to the most excellent señor viceroy (if this report be considered worthy of his attention)—and I say it from this hour until that which sees me before the tremendous judgment seat of God, without being moved by anger, passion or ill-will, but only in my desire for a remedy and the discharge of my conscience for my last hour—that all that I have said up to here I regard as but the merest sketch of what is really happening and what I have experienced in my time in this miserable kingdom; and I say ‘miserable’ because my compassion and my grief discover no other appellation with which to lament a kingdom where the temples of God are not venerated, nor his ministers respected, nor the Christian religion promoted, but where, on the contrary, opportunity is given for its easier destruction.”

After various passages, most excellent Sir, in which it is proved by the documents of the archive of the *custodia*, and by others that were sent to that of my province by the said Reverend Father Varo, how ancient is the persecution of the missionaries by the governors and captains—of whom, doubtless, hell has made use in order to destroy Christianity in that kingdom from its beginnings and to prevent the progress of the propagation of the holy gospel—the said father has lamented the sorrowful distresses

suffered by the evangelical laborers in the years 1617, 1624, 1644, 1674, and 1699, and related how God vindicated His cause before our Catholic Kings and their royal Council and the *real acuerdo* by producing from among the very persecutions the happy and abundant fruits of souls for God in the years 1628, 1631, and 1670; and how God, because of the calumnies against the innocence of his ministers, again brought warning punishments upon the kingdom, one of them being announced with audible words by the most holy Virgin through her miraculous image of La Macana (which is now venerated in this convent). This punishment was assured by the great Lady in the year 1674 with a miracle which caused the governor and secular justices of that kingdom to burn publicly the iniquitous indictments and *autos* that had been issued against the ministers of God; but notwithstanding this, as they relapsed into the persecution, the punishment was carried out in the general uprising of the Indians in the year 1680, which was so calamitous that those who deserted from [instruction in] the catechism came to five hundred thousand. Six thousand apostatized in the three districts, and martyred twenty-one religious and many Christian people, besides burning the missions.

After the said reverend father has recalled and related these events in his writings, he laments the persecutions against the religious repeated in the year 1699 by the governor in a sacrilegious and slanderous indictment that he issued, compelling thereto and rewarding seven witnesses. The latter, in order to relieve their consciences, publicly recanted in an attested retraction in the year 1703 before the reverend father provincial, expressing respect for the custodian and the religious and publicly asking pardon. Following these passages, and before terminating his report, the said Father Varo concludes by saying:

87. "I have adduced here, our father, this testimony, not only to vindicate the constantly slandered innocence of the poor friars in this *custodia*, but also in order that it may be seen from what mine of hell came the report of the past year of 1749; and in order that there may appear in that of 1692[?] the posthumous presentation of honors and obsequies that Don Pedro Rodríguez Cubero published in honor of those twenty-six blessed priests who died for the faith of Christ in the two uprisings of the years 1680 and 1696; and, finally, in order that through this means may be made known the extreme and sorrowful decadence which has overcome the abundant and admirable progress that was accomplished at the cost of the labors of the evangelical workers.

"If I regard the number of Indian pueblos alone, each pueblo with its church in which the holy sacrifice of the mass was celebrated, there were one hundred and fifty, but to-day they do not number fifty—not more than forty at most. Although in the year 1644 the converts and those reduced to the catechism numbered five hundred thousand souls, they are now become, since the year 1680, furies of hell, who, in confederation with innumerable nations, aim only to destroy us. Although in the year 1680 there were numbered eighty-six thousand souls already Christianized and well instructed in the catechism, they will to-day scarcely reach seventeen thousand five hundred. It will be very easy to verify this, not only by the

report that I made in the year 1749 (which I have cited several times), but by the registers that I am sending to your reverence, formed in the year 1750 by the father missionaries in their respective missions. According to them I am certain that the said fathers enumerated much fewer Indians than those that I counted, or than existed in 1749. But why should not they be fewer when the apostates and barbarians kill so many Christian Indians in their repeated attacks from all sides? Thereby every day the number of Spanish inhabitants and castes becomes less, so that if they reach four thousand in the entire kingdom—villas, pueblos, ranches, and haciendas—I exaggerate very much. Why shouldn't they be fewer when after the year 1696 several uprisings of the Christian Indians themselves again occurred, accompanied by much bloodshed? [They have occurred] now in the missions of La Junta de los Ríos, because presidios were not established there, now in the most distant mission of Zuñi because the escorts were taken away, again on two occasions in the missions of El Paso, and, finally, there have been sudden attacks by the hostile nations, bolder to-day than ever, not sparing villa, pueblo, ranch, hacienda, house, or road from their fury, for they have no other aim than to destroy the pueblos and make an end of the Christian Indians and white people, so that it is only by a miracle of God that the temples are still standing."

I would say more, most excellent Sir, of what is contained in the report of the said Reverend Father Varo—it being the product of much labor, with numerous incidents and events and remarkable information concerning the religious conduct of the missionaries in the *custodia*, of their method of subsistence, of the progress of the missions, and of the system of commerce in the kingdom in buying and selling without money, by barter or trade, there being no coined money there—but my veneration shrinks from fatiguing the honored mind of your Excellency. This alone prevents me from placing in your hands the original [paper] of the said father, as well as four others of as many other religious, the latter because the handwriting is troublesome, although the reports are succinct, and the former because, although the handwriting is clear, the report is very diffuse. However, since all of them treat of very serious matters, worthy of the sovereign attention of your Excellency (who alone can apply the remedy for such evils), I am ready, if your Excellency orders me to do it, to deliver to you the said originals just as they are, or to have them copied in a better handwriting. And since there is another original report, the subjoined one of Reverend Father Fray Carlos Delgado, which has an important bearing on the matter, it is sent with this, my report, inasmuch as the said father enclosed in it a decree or *auto* issued in the year 1709 by the most excellent señor, the Duke of Albuquerque, directing the father custodian and the missionaries to make a secret report to his Excellency.

I should like very much, most excellent Sir, to continue this report here by years, from the year 1751 until the present, in order to carry out what was ordered in the royal cedula of May 21, 1747. The same thing was desired during their provincialships by reverend fathers, Fray José de la Vallina, Fray Juan José Moreyra, and Fray Juan Bravo, my predecessors (who are all living). They were unable to do so, however, for all these

reports to the prelates depend upon the attested copies and certifications that the missionaries request from the governors, *alcaldes*, captains, and lieutenants, in order to prove on all occasions their conscientious administration, good example, instruction and teaching of the catechism to the Indians, their apostolic zeal for the good of souls, and their religious conduct in spreading the gospel and making new conversions among the heathen. All these things the religious, for their security and honor and the satisfaction of the prelates (and even of the most excellent señores viceroys when necessary), present before the said governors and justices of the kingdom by certificates of the citizens as well as of the Indians. This being the case, and the above privilege never having been denied the religious, nor ought it to be denied them, in conformity with the royal laws, yet the poor unfortunates found themselves in the year 1750 with the doors closed to this recourse for proving, vindicating, and justifying their persecuted innocence, slandered before the most excellent señor viceroy in the iniquitous report that I have cited at the beginning, for Governor Don Tomás Vélez issued a *decreto cordillero*, or *auto* of government, to the *alcaldes mayores* and lieutenants, [ordering] under pain of a fine of two hundred pesos, deprivation of office and employment, with other arbitrary penalties, that they should not issue *motu proprio* any certificate or copy to any person, of whatever state, dignity, rank, or condition he might be. It is thus complained of in feeling terms by Reverend Father Varo, in the exodium of his report, and by other religious in theirs, which, if they had not been sent by a religious, who brought them with other certified documents issued in time by the justices (before this unjust decree), I am sure would not have arrived, for they would have been surprised by an order from the governor somewhere on the six hundred league journey to this court. Many letters have failed to reach the prelates at different times (perhaps because of such surprises), and for this reason, in order to make certain of our business, the religious of the *custodia* have sometimes found it necessary to include them among papers relating to the Holy Office addressed to the prelates, or with a superscription and petition to the señores or ministers of the Holy Tribunal.

This iniquitous decree of the year 1750, most excellent Sir, has been confirmed by the governors succeeding Don Tomás Vélez, up to the last one, who concluded his governorship in the later part of the past year of 1760. Although there are only a few letters in this archive of my province—some of the reverend father custodian, Fray Jacobo de Castro (elected a second time in this provincial chapter for his religious conduct, learning, wisdom, and experience), and others of the father vice-custodian, Fray José Páez, of Father Fray Juan Sanz de Lezaún (before his return to the province), and of Father Fray Manuel Isidoro Abadiano—they are so worthy of the Catholic attention of your Excellency, for the service of God and of the king, our lord, and for the improvement of that kingdom, that if your Excellency deigns so to order me, I will have a copy made giving the substance of their contents. The said religious in these letters, dating from January 14, 1758, to May 2, of the past year of 1760, informed the reverend father provincials, my predecessors, of the very

great offenses, the very active perils, and the most cruel persecutions and tyrannies inflicted by Governors Don Francisco Antonio Marín del Valle, and Don Mateo Antonio de Mendoza.³⁰⁹ In regard to these, in deference to the high understanding of your Excellency, I will say only briefly with the reverend father custodian that the persecution of all the missionaries by the said Don Francisco Antonio Marín was so cruel that the public disrespect with which he treated them seems incredible, as well as the injuries and insults with which he outraged them to such an extreme that, terrorized and persecuted, they importuned the father custodian to give them permission to return to the province. The poor prelate had no other way to restrain them and console them so that they should not commit the folly of abandoning the missions, than to give an account to the reverend father provincial, Fray Juan José Moreyra, so that the said prelate might report it to the señor viceroy, the Marquis of Las Amarillas³¹⁰ (which could not be done because his Excellency, being seriously ill, was on several occasions absent from the court). The disturbance in the kingdom was such that, not knowing what to do, many white people and Indians fled, even at evident risk of their lives, to come and complain to the señor viceroy, the reverend father custodian stating that on the date of his letter, January 14, 1758, he judged they would be in Mexico, and that if the reverend father provincial could find them he would learn from them a great deal more upon which the letter was silent.

In regard to the tyrannies and ill-considered projects of Don Mateo Antonio de Mendoza, who ended his governorship in January of the present year, in the latter part of the past year, the other three religious represented to Reverend Father Fray Juan Bravo, my predecessor, the even more fatal consequences and perils emanating from the hatred of the said governor for the missionaries, as well as from the mischievous expeditions astutely schemed by himself and his captains. [The purpose of the latter was] not only to elude and violate the urgent decrees of the most excellent señor viceroy, the Count of Revillagigedo, of April 26, 1752, in regard to the construction of the presidio at the missions of La Junta de los Ríos, neglected for so many years, which he desires and solicits, but also these gentlemen brought about for their private interests, by their disobedience to such superior decrees, the rebellion and flight of the Indians from these six missions. The uprising was afterwards pacified by the said three religious at the cost of the most prodigious labors and dangers to their lives, suffered repeatedly for almost a year in three entrances. The statements, given literally, from the letter of Father Fray Juan Sanz de Lezaún of January 15, of the past year of 1760, to Reverend Father Fray Juan Bravo, my predecessor, will give faithful information for your Excellency's judgment. They run as follows:

³⁰⁹ Bloom ("The Governors of New Mexico," *loc. cit.*, p. 155) lists Francisco Antonio Marín del Valle as governor of New Mexico from 1754 to 1760 and Mateo Antonio de Mendoza as *ad interim* governor of the same province during 1760.

³¹⁰ Bolton (*Guide*, p. 470) lists Agustín de Ahumada y Villalón, Marqués de las Amarillas, as viceroy of New Spain from 1755 to 1758.

"Our entrance (this was the third) was accomplished by promising the Indians that the presidio should be placed at a distance of ten leagues from the settlement, as is ordered by the señor viceroy, so that they should not suffer damage to their fields and pueblos; but all has failed, and the promise has not been kept nor has the presidio been placed where it was ordered. It is being constructed at a distance of three squares [*quadras*] from the mission of Guadalupe, whereby the Indians are much disturbed; and not the least cause of their exasperation is the damage that their crops and their sheep, cattle, mules and horses suffer at the hands of the captain and soldiers of the presidio. From all this it is expected that those [Indians] who have remained will take flight, as other pueblos have done, and as a part of that of Guadalupe and the other two are now doing. To none of this can we make any protest, for the captain *ad interim*, Don Manuel Muñoz, is a mere boy, without experience, and belonging to the governor's faction."

That official, most excellent Sir, has persecuted the poor missionaries of this my province with so great a hatred that he has attempted nothing less than to banish them from the *custodia*, not only with wrongs, injuries, and insults, but he said in plain words to Fathers Lezaún and Abadiano in Chihuahua that he had now determined to turn over the missions of the north to the province of Zacatecas, and to install as prelate of them Father Fray Miguel Gonzales, a son of the said province, and choose from among them the necessary religious; and that he would make a report afterwards, for, as vice-patron, he had the necessary powers to do this and even much more.

Father Lezaún received notice of all this in January, and on the 29th of February he repeated it from Chihuahua to the prelate while he was prostrate with sickness and troubles, for every day the presidio found itself in greater danger, and unless God sent a remedy he feared that when his letter should be received there would be no longer any presidio. In one pueblo alone, named [San] Juan, but half of the Indians remained, and Father Abadiano, who had stayed in it in order not to abandon those few, was surrounded by fears.

The said Father Abadiano, on May 2, 1760, wrote to my predecessor about the extreme anxiety which he felt, surrounded by perils, without food or any one to help him at that mission, now almost deserted; and also that, things being in this state, when he went down to Chihuahua to ask for food, intending to return to the said mission even if he had to give his life there, the governor interfered with his purposes, and urgently asked the father custodian of Zacatecas in Chihuahua for religious for the missions of the north, forbidding that any of the religious of this province of El Santo Evangelio should return to them.

These iniquitous proceedings and insults, most excellent Sir, occurred after this governor had felt out the minds of the Jesuit fathers in various conversations, with a view to introducing them into these missions. The father vice-custodian so informed the reverend father provincial, my predecessor, in a letter of January 2 of the past year of 1760, warning

him that the governor, hoping to succeed in introducing the said Jesuit fathers into our missions, had ordered that Father Benito Renaldini, *visitador* of the missions of the sacred Company, who was at the mission of Coyachic, should be summoned, and that when he made this proposal to him the father replied that this could not be, in view of the fact that the Franciscan fathers were in possession and, as he had been credibly informed, had failed in nothing.

In this state of discredit, ruin, and decadence, most excellent Sir, has this governor placed the six missions of the north, which cost my province and the *custodia* so much labor to found fifty years ago, and to maintain entirely, without any expense to the royal exchequer, of which your Excellency, if you please, may satisfy yourself from the royal officials themselves. The causes of these wrongs and of the opposition of the governors and captains to garrisoning these missions, evading the decrees of the most excellent señores viceroys, are stated in the very zealous report of Reverend Father Varo, in numbers 63 and 64. I therefore shall simply respectfully call to your Excellency's exalted attention the fact that upon examination of the iniquitous proceedings pointed out in the said letters, it appears, without judging rashly, that the reason why the Indians of these six missions, and even those of the mission of Zuñi, which is the most populous, refuse to admit an escort in the latter and a presidio in the former, is not only that they desire to be free to confederate with the heathen nations and attack the kingdom, but also because these Indians are attempting to evade the tyrannies with which the governors, captains, *alcaldes*, and lieutenants oppress them. Now, how much greater must be the decadence and danger of that land and Christian population I infer, to my grief, from these recent reports. They show that, if in the year 1751 Reverend Father Varo asserted, in number 87 (already cited), that in the year 1750 the Indians were much fewer than those whom he registered in 1749, their number must have been even less in 1760, with the rebellion and flight of the Indians from the six missions of the north. And since the missions were abandoned, how many of the 2,350 Indians that were in them can have remained, if at the mission of San Juan, which had four hundred only half were left?

Finally, most excellent Sir, such is the miserable condition which is complained of to-day in that poor kingdom, in which, laying aside all exaggeration, it appears that the tyranny and cruelty of the first governors against the poor Indians and their persecution of the evangelical ministers have had far-reaching effects, as was lamented by the distinguished reverend father, Fray Juan de Torquemada (who was provincial of this holy province in the year 1614), in his *Monarquía Indiana*.³¹¹ And if in order to convince more fully your Excellency's judgment with regard to what is reported here or in the originals that I present, it is necessary to have verbal statements from religious who have at different times lived

³¹¹ Reference is to Juan de Torquemada, *Primera parte de los veinte i un libros rituales i monarchia indiana, con el origen y guerras, de los Indios Occidentales, de sus poblaciones, descubrimiento, conquista, conversión, y otras cosas maravillosas de la mesa tierra*. . . . 3 vols. (Madrid, 1723).

in the *custodia*, I am quite ready to take the measures for which Reverend Father Varo appealed in number 49 of his declarations (which is found above), and I will bring into your Excellency's respected presence Reverend Father Fray Ortiz de Velasco, former *guardián* of the college of missionaries of San Fernando of this court, who was custodian of New Mexico in the years 1733, 1734, and 1735; the reverend father emeritus, Fray Gabriel de la Hoyuela, who was custodian in the years 1743, 1744, and 1745; Father Fray Juan García, who was his secretary; Father Emeritus Fray Manuel Trigo, who was vice-custodian and *visitador*; the reverend father ex-*definidor*, Fray Francisco Sánchez, whom Reverend Father Varo mentions in number 57 of his report; Father Emeritus Fray Juan Sanz de Lezaún; and Fathers Fray Cristóbal Calvo, Fray Ignacio Estarrona, Fray Juan Joseph Hernández, Fray Juan Labora, and Fray Ángel García. By means of all these eleven religious your Excellency can, if it please you, investigate and prove the truth of all that has been reported up to here. I declare also that I am ready to produce from the archive of my province all of the originals and certified copies [of documents] that have been issued by the justices of that kingdom from the earliest years up to 1750 in behalf of the honor, conduct, and petitions of the religious, the vigilance of their ministry, their punctual attendance at their missions, and their kindly instruction of the Indians, all in order that this may be a faithful presentation before the judgment of your Excellency of the truth, as well as of the pious conduct of the missionaries. I am moved to make these demonstrations (as I respectfully assure your Excellency at the beginning of this paper) solely for the honor and glory of God, and the propagation of our holy faith in that kingdom, and in consequence (having in mind laws 11 and 23, book 3, *título* 14, of the *Nueva Recopilación*) of my service and obedient fidelity as a loyal vassal of our lord, the king (whom may God preserve), my zeal to fulfill his royal laws and mandates, and for the discharge of my conscience, which has stimulated me to present everything for your Excellency's judgment, as is my obligation, so that your Catholic zeal may weigh in the exact balances of justice this sincere and truthful report. Fray PEDRO SERRANO.³¹²

*To the Viceroy of New Spain, ordering him to send without any delay whatsoever a regular or secular minister to the Seno Mexicano to administer spiritual food to the settlers on the ranch called Nuestra Señora de los Dolores del Río del Norte, and to send other ministers also to the other places which may need them. Buen Retiro, January 12, 1762*³¹³

The King. [My] viceroy, governor, etc. . . . : Don Fray Francisco de San Buenaventura Martínez de Tejada, who was bishop of Guadalajara, reported in a letter of May 12 of the year 1760, accompanied by a certified document, that, after completing the inspection of La Bahía

³¹² Ad. F. B., Mexico, May 19, 1912.

³¹³ A. G. I., 103-3-6. (Guadalajara 235.)

del Espíritu Santo he continued his route to cross the Río Grande del Norte which is some eighty leagues from the former place. All this distance is unoccupied country but very fertile, though it lacks water, and is appropriate for raising stock. He found on the banks of this river a ranch named Nuestra Señora de los Dolores, distant eight leagues from the villa of Laredo. It was established some five years ago by Colonel Don Joseph de Escandón,³¹⁴ and is without spiritual ministration. He therefore placed an ecclesiastic there as soon as possible to administer it, and reported, so that orders might be given him for his guidance. The matter having been considered in my Council of the Indies together with the exposition thereunto appertaining by my *fiscal*, and, as it appeared from the certified statement mentioned that there had been omission and carelessness in not placing a parish priest in that settlement to administer spiritual food to its inhabitants, who have been left to live like heathen, when their welfare ought to have been attended to, it has seemed well to call this to your attention, and to command and order you, as I do, to issue without any delay whatsoever the necessary order to have a minister go thither at once, either a regular or a secular, whichever you may consider most convenient, and to assign to him the customary stipend, so that he may administer spiritual food to those settlers. You will also exercise utmost care to ascertain whether there are in the Seno Mexicano other settlements also lacking ministers, so that you may with like promptness provide a remedy; for this is to the service of God and of myself. Dated January 12, 1762.³¹⁵

*The form of government used at the missions of San Diego de los Jémez and San Agustín de la Isleta by Father Fray Joaquín de Jesús Ruiz, their former minister. [Undated. 1773?]*³¹⁶

CATECHISM

The bell is rung at sunrise in summer, and in winter a little later; when the catechumens gather in the churchyard each has his own place assigned to him, the *fiscal* endeavoring to see that they do not change their places, so that the father teacher may easily see if any are missing, and not delay the roll-call. The method for prayer is to put all the little ones, boys as well as girls, in front, separated from one another by a distance of half a vara, so that they cannot talk or amuse themselves with gestures that distract their attention. In the same way the larger girls are placed behind the children, with their faces uncovered, not being permitted to cover them with their shawls, for then they occupy themselves in chewing *exquite*, or in some other nasty habit that they practice. After them come the young men, in the same order as those first named. Two young cantors

³¹⁴ Reference is to the colonizer in the middle of the eighteenth century of the Gulf coast province of Nuevo Santander, or present Tamaulipas (in part). See Bolton, *Texas in the Middle Eighteenth Century*, pp. 291-302.

³¹⁵ F. R. B., Sevilla, Mar. 9, 1915.

³¹⁶ A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 28). The present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 1059-1076).

stand up with the catechism in their hands and begin the recitation in a loud voice, and all respond. They recite first from the "Todo Fiel Cristiano" as far as the "Credo," then from the "Salve" as far as the "Sacramentos," and then the explanation of the principal mysteries, closing each recitation with the angelical salutation and the "Alabado" of the Holy Trinity. At the last the responsory is sung, accompanied by the tolling of the bell.

The cantor for the week repeats the prayer together with the sacristans, and the little serving girls with the *fiscal* for the week, in the same order as the catechism. When it is finished the father goes to eat his supper and send away the women cooks, not permitting them under any pretext to sleep in the convent, nor are they permitted to hold any intercourse with the sacristans and young men servants in the kitchen, but must treat them harshly, though without striking them, and when they offend they must be punished through the *fiscal*. At the ringing of the Ave Marias these last repair to their cells and recite the angelical salutation. When there is work to be done in the way of sweeping, white-washing, or any other task in the convent, they [the men and women] are not permitted to work together, for they do not behave as they ought, and from this come intrigues.

MASS

The chimes are rung twice after sunrise, so that the mass begins at eight. The married people assemble in the following manner: Each married man brings his wife and kneels with her at his side, in their assigned place, according to the directions of the register, in such a way that two men are in the center with their wives at each side, the women not being permitted to be together because mass cannot be heard for their conversation, nor do they pay any attention to the prayers. The same arrangement is observed on both sides. The widowers and widows are placed on the sides, leaving a passage free for citizens to come in, and for the sprinkling, etc. The catechism is put on the altar in the same way as is observed when they recite in the churchyard. Two young cantors stand up facing the people, and intone the prayer, as in the daily catechism. If any married woman is missing her husband brings her, he being compelled to do this. If it is a man who is missing the *fiscal mayor*, or his assistant, goes to bring him.

Prayers being finished, the mass begins, the musicians play until the elevation of the host, and the cantors intone the *alabado*. After mass is over, the married people [go out] in the best order possible. The best way of explaining the mysteries to them is on Saturday following the catechism, as soon as they finish the rosary, for then they are alone and do not divert themselves with the citizens, to whom the explanation is given on Sundays.

In order to avoid prolixity, I omit here the service of the convent, which is practiced very freely and for the common benefit. As it is necessary for me to state what prevents other missionary fathers from practicing this form of government even in part, I will say that the reason is the great fear they have of the Apaches and also of the *alcaldes mayores* and the

lieutenants, for since the latter are absorbed in their own interests and so ready to use the Indians for their own advantage, if the minister takes their part, the officials do not lack means for making false accusations against them. Inasmuch as the Indians of all the missions so abominate our holy faith and easy rule, [they prefer] to deprive themselves of their property, work for the said chiefs, and suffer their oppressions, rather than to enter the church, be instructed in the faith, and live like Christians. Experience shows that whenever they [the Indians] were ill-treated by the persons spoken of above, they never went to complain to the government, but that for the smallest peccadillo on the part of the minister wings are not swift enough to carry their complaints. At the mission of Pecuries the *alcalde* and lieutenant planted crops, and only when he went to gather the harvest was the face of that *alcalde* seen in the pueblo. I went on to Acoma, and found that the lieutenant, a *coyote*, commonly called "The Stepson," compelled the Indians to give him every week a sheep, lard, beans, and *guallabes* (which are their tortillas). Even when this person went to his house he took a large enough escort to cover a retreat, and he was accustomed to remain away from the pueblo for a whole month, and when he came back he collected the above-mentioned tribute all at once. The *alcalde mayor* governed the Indians by trickery, and what wool they succeeded in collecting was for him.

The *alcalde* who succeeded the above left the minister, named Fray Joaquín Rodríguez, lecturer of theology, and a good man, with the Indians, exposed to death from hunger and thirst in a mountain range, where he wandered for three days.

They removed this *alcalde*, not for this act but much later, and he was succeeded by one Don Pedro Pino, who has not been friendly with a single minister, his arrogance reaching such a point that it exceeds what is usual in a royal judge. Of this Fray Francisco Marino can give much information, for he contended with the person mentioned for three or four years, and for this reason left the *custodia*.

I went on to the mission of Jémez, whose Indians [once were] bold rebels, but had deteriorated so much that they did not molest me or my predecessors. During the first two years that I was with them I suffered some accidents, and in the last year was injured in the face. At that time Fernández, *alcalde* of the pueblo, happened to come, and he went away proclaiming that I was a liar, and that nothing of the sort had happened; but God, who watches over one who is endeavoring to give the honor which His Majesty deserves, inflicted severe retribution on the aforesaid *alcalde* within two months, for [while he was] in the same cell his mouth became twisted, he lost his mind, fell from grace with the government, and died with no one to care for him.

Then came José Miguel de la Peña. This man came to despoil the Indians, and asked in the name of the señor governor for sheep, fat cows, maize, etc. He taxed the six pueblos under his command in such a manner that the Indians protested loudly, but the ministers were unable to speak, for the former are believed, while the ministers are ignored; and in such cases he who lied came out with the *autos* supporting him.

At the mission of La Isleta, I witnessed such tyranny with regard to labor by the Indians, that, while the preceding alcalde of the six pueblos had a farm—he and his lieutenant—and drove the Indians to their houses to plant without their receiving a mouthful from the alcalde, although they had to spend a whole day on the road with their picks on their shoulders, and although his farm and that of his lieutenant were large, yet that of the alcalde, Don Francisco Trevol, is larger, for it produces a crop of two hundred *fanegas* of wheat and about three hundred of maize, so that the entire pueblo will have to supply fertilizer for the farm.

Work begins in January or February, and in October they fence in [the field] until the maize tops [*tapleste*], called elsewhere *tlasole de hoja*, have grown.

All through October and November he kept the women [grinding] at the *metate*, and in my time from fifteen to eighteen *fanegas* of wheat and many more of corn were ground for the journey out, besides eighty strings of chile, which is equivalent in work to eighty [*fanegas*] of maize.

Every third day half of a *fanega* of wheat was kneaded into dough, and as this was brought by the Indians and the bread was carried by them also, he [the alcalde] had one constantly at hand to work by the week in his house. This same thing all the alcaldes have, although they live eighteen leagues away.

While little enough has been said, it is sufficient to illustrate that what the Indians receive from the alcaldes is ill-treatment and punishment, for I have never seen them do them justice or defend them from their enemies, either in their persons or their property. For this reason it is so fruitless for the pueblos to be governed by themselves alone, or by the aforesaid persons, that the Indians will never be reduced to civilization. God will never be served, and the sovereign will continue to be deceived.

It was told as a fact about these two alcaldes that when they denounced the mining officials of Don Francisco Diez Moradillos for their drunken, unchaste lives, and their forgetfulness of the church and all Christian things, Don Diego Borica presented these charges before Governor Don Pedro Fermín de Mendinueta,³¹⁷ and that gentleman ordered them to expel the officials from the kingdom. The first means that the parties took to escape from their difficulty was to appeal, very wisely, to the said alcaldes, asking them to make certifications so contradictory [to the first ones] that if they had formerly been bad, they afterwards could qualify as saints. They hastened to the governor to present these certifications, but he was so confounded by them that he immediately removed the two alcaldes from their offices. One, who had no patron, lost his employment, but the other, Dios Francisco Trebol, continued as before.

From the experience that I have acquired in my service at the various missions of La Sierra Gorda and Michoacán, [I believe that] the only way by which the Indians can be set on the right path to any extent in [Christian] instruction, and can have peace, is as follows:

³¹⁷ Bloom ("The Governors of New Mexico," *loc cit.*, p. 156) lists Pedro Fermín de Mendinueta as governor of New Mexico from 1767 to 1778.

Each pueblo shall have its head, who shall be satisfactory to the missionary father and confirmed by the governor. He must be a man who will make himself respected by the Indians and unite us with them, and he must be of temperate disposition, restricting himself to what is annually assigned for the maintenance of the children [of the mission] without exceeding by a thread what the governor assigns to him.

It is his obligation to join the minister immediately when the bell rings, to see that none of the pupils are missing at catechism, or the married people at mass, without a sufficient cause; but he shall not be allowed the right to punish without consulting the missionary father or minister, so that the latter may decide whether or not there is sufficient reason for the punishment. It should be the duty of this leader to see that the Indians live in peace, and the married pairs together (not as they live among the Jémez, exchanging the women), and he should make the rounds at night, taking particular notice of the bachelors, for they do not marry except when they are satiated with sin, and then only if they are discovered.

He should exert himself to make them plant crops, for if they have enough to eat in their pueblos they will not wander about. He should take note of what Indians go out and come in and report to the father; he should see that they keep watch over the country, take care of the horse-droves, and place a guard (if it be necessary) over their few cattle. Citizens are not to be permitted to enter the community, nor shall the girls enter it when there are travelers there.

He should have constantly ready fifteen or twenty or more [Indians], with the necessary provisions, in order to give assistance [against the enemy] when it is requested. He himself will conduct them from the pueblo as far as two leagues, or less, for while they are bringing up horses and while the Indians, who are constantly running about the country, are being got together, the enemy escapes without punishment. And if this leader becomes slack, or joins in with the Indians, the minister shall report it to the prelate, so that the latter may inform the governor, who will remove him from office.

*[Description of the most notable characteristics of the settlement of El Paso del Río del Norte, as given by one of its citizens, after seven years' residence there. It is as follows. September 1, 1773]*³¹⁸

This settlement is situated on the south bank of the Río del Norte, in latitude 32½ degrees and some minutes more or less, as observed by the sextant and visual forestaff, in which the observer noted ten minutes difference; observation is possible with the quadrant, or *obtante*, from a hill called Las Minas, lying to the north of the said settlement on the other side of the river, as it permits a visible horizon from west to east.

This settlement includes five Indian missions. The first is called Nuestra Señora de Guadalupe y Señor San José del Paso (the capital), whose

³¹⁸ A. G. M., *Historia*, vol. 25 (see Bolton, *Guide*, p. 28). The present translation is that of a copy in the Bancroft Library (*N. Mex. Docs.*, II: 1076-1090).

Indians belong to the Mansos, Piros, and Pimas nations. The Mansos were its first inhabitants, but they are totally extinguished, and on their lands our citizens are living with their farms and homesteads, some by purchase, and some by gift from their chiefs. In these places Indians and Spaniards live commingled, the former having their farms and a branch irrigating ditch, while the latter have the main ditch, containing two flood-gates from which the Indians' water comes. The upkeep of the dam is obligatory upon all. It is made of wattles, as the terrain of that river does not permit any other kind of fabrication, to say nothing of the trouble caused by its excessive floods and freshets, for it not seldom happened that after a dam had been built of stones, fagots, and stakes, it was necessary to tear it down in order to prevent inundation of the town. This causes constant labor for the inhabitants, as does also the cleaning of the ditch, which caves in frequently, because of the weakness of the fine sandy soil.

The lands are extremely fertile, not altogether because of the quality of the soil, which is thin, but because of the benefit furnished by the water in bringing with it a thick mud which serves as manure for the land, leaving on top of the irrigated earth a glutinous scum which resembles lard.

The products yielded by this land are: Excellent wheat, free of all darnel, and with a remarkably large grain; good maize, when they know how to work the soil, which supports it only by making the furrows deep, for, on account of its lightness, if the corn is not well rooted the strong winds (to which this country is subject) uproot it and lay it flat on the ground. The land also produces beans of two sorts, black and spotted, of the size of *Indias*; white and black broad beans; fair-sized chick peas, though not very large; anise, and all kinds of vegetables and garden-stuff of very good quality, especially large, white sweet onions. There are many vineyards of excellent wild grape stock, but the vine is slender, and for this reason it is necessary for its preservation to cover it. The grape, which has a good taste, is black, and there are some vines of muscatel.

There are many fruit trees, which yield largely if they are not attacked by frost at a critical time. The principal ones, of which there is an abundance, with large trees and fruit, are bergamot pears and apricots; of a more moderate size, though not less abundant in fruit, are the apples and peaches. All yield so bountifully in a good year that no one takes care of or guards them; the most industrious dry the fruit in the sun to preserve it, and not seldom it serves as food for the poor. Most of this land lies in the valley of the river, facing a broad inlet formed by its banks, and only the church and the royal buildings are situated on the height at the margin of the said river bed.

Further down the river is the mission of San Lorenzo el Real, recently established, and composed of Zuma Indians, who, apostates and heathen, made peace, and the site mentioned was given to them with such conveniences as are permitted by the country. They have a ditch apart from the bed of the river with which they water their lands and those of some white citizens who live at the mission in order to prevent dissensions. This

land has the advantages spoken of above, but is not so productive because there has not been time to clear and plant it, as all of it requires.

Then comes, in the same direction, the mission of Zenecú, which is as rich in grain and fruit as the aforesaid capital of El Paso. There are a number of white citizens living there, as has been said of the mission of San Lorenzo.

In the same direction follows the mission of La Isleta, abundant in everything, with its separate irrigation-ditch and a large number of laborious, civilized, and industrious Indians. There are also some white people, besides a good many soldiers, who are not at all industrious and are inclined to marauding, which they call foraging, and from which they are not restrained by the reproofs of their commanders nor by the disastrous results which they have experienced from the enemy's mischievous desertions of their rancherias, for the purpose of falling upon the soldiers while they were engaged in the aforesaid foraging.

Then follows, in the same direction, the mission of Socorro, which has a small number of Indians, on account of being made up of natives from other countries. They are the ones who were bought from the Indians of New Mexico, and by them from the Comanches, who are at war with the Apaches. Although these aliens are in reality Apaches, there never has been observed in them any special inclination towards their nation, which is supposed to be because they left their country at a tender age and became strangers to its language. They have remained quiet, marrying women of their own kind, and afterwards among themselves. With them there are quite a number of white people who work good land, much of which was accidentally given to them by the river when it changed its course to the opposite bank. They guard against the danger that the river may return to its old course by making deep ditches through which it may flow in such an event.

The distance between this last settlement and the mission of El Paso must be ten leagues. The extent of the settlement of El Paso is about one short league, at the widest half a league more. The number of its inhabitants reached 9,363 adult persons and a little over 500 children, including all classes of people, Indians and whites. In the last group are included the few Spaniards that are there and about eight or nine Europeans, married and settled there, excepting some who are in the habit of coming in to buy wine and brandy in exchange for goods or their equivalent, following a clever and peculiar scheme of using four kinds of money, although there is only one that has a fixed value. The plan is as follows:

The peso is, and is generally understood to be, valued on the basis of silver, according to its sound, the specie used being *reales* or silver. The value of a peso according to the agreement is six *reales* in silver. Pesos at the old prices are worth four *reales*, and pesos of the country are equivalent to two *reales* in silver. On this basis they make their trades, and by joining together they manage to carry them out.

There are few cattle and sheep in the country, but the river abounds in fish, known as rock fish, although some call it bream. Other delicious kinds

are the *corazón* and the *enguila*, all of more than medium size. The *enguilas* are found more often in the ponds formed by the overflow of the river than in its channel.

The tithes of the said settlement have run in the seven years spoken of close to 1,600 pesos annually in rent, with the express condition that it is to be paid in advance in the month of March, and under security; but to-day the dispute is raging, and of the rest, which has not been released, I say, "Who will collect it, either for rent or for administration?"

All the things described above are to-day greatly deteriorated in the chief features necessary for their conservation, because of various misfortunes that have overtaken them since the date given at the head of this writing.

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